



MESSAGES OF THE PRESIDENT FIDEL V. RAMOS

1992-1998

BOOK 12 | VOLUME 5

Administrative Orders Part 2



President Fidel V. Ramos, Twelfth President of the Philippines
and Second President of the Fifth Republic.



MESSAGES OF THE PRESIDENT
FIDEL V. RAMOS
1992-1998

Messages of the President Book 12: Fidel V. Ramos

Volume 5 Part 2

Presidential Communications Development and Strategic Planning Office

<http://www.gov.ph>

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Volume 5 Part 2

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INTRODUCTION

As the President's chief message-crafting body, the Presidential Communications Development and Strategic Planning Office (PCDSPO), is mandated to provide strategic communication leadership and support to the Executive Branch, its composite agencies, and instrumentalities of government.

The PCDSPO is also mandated to act as custodian of the institutional memory of the Office of the President. One of our projects is the continuation of the series of books called the Messages of the President, started in 1936 by Jorge B. Vargas, Executive Secretary to President Manuel L. Quezon. The series was a wide collection of executive issuances, speeches, messages, and other official papers of the President. The volumes were intended to serve as the definitive compilation of presidential documents. The series was continued until the Quirino administration, although the series for the Presidential administrations of Presidents Quezon, Roxas, and Quirino were never completed.

In 2010, President Benigno S. Aquino III ordered the revival of the series and the constitution of a complete set, covering all 15 presidential administrations. With pride, we continue what Vargas began.

We would like to extend our gratitude to our partners for without whose gracious cooperation, this project would have not been possible.

A note on organization: Each presidential administration's messages are in book form, compiled and subdivided into volumes. The books are as follows:

- Book 1: Emilio Aguinaldo
- Book 2: Jose P. Laurel
- Book 3: Manuel L. Quezon
- Book 4: Sergio Osmeña
- Book 5: Manuel Roxas
- Book 6: Elpidio Quirino
- Book 7: Ramon Magsaysay
- Book 8: Carlos P. Garcia
- Book 9: Diosdado Macapagal
- Book 10: Ferdinand E. Marcos
- Book 11: Corazon C. Aquino
- Book 12: Fidel V. Ramos
- Book 13: Joseph Ejercito Estrada
- Book 14: Gloria Macapagal-Arroyo
- Book 15: Benigno S. Aquino III

Each book is subdivided into the following volumes:

- Volume 1: Official Week/Month in Review
 - Volume 2: Appointments and Designations
 - Volume 3: Historical Papers and Documents
 - Volume 4: Executive Orders
 - Volume 5: Administrative Orders
 - Volume 6: Proclamations
-

Volume 7: Other issuances

Volume 8: Cabinet minutes

We hope that this collection will be a useful and vital reference for generations to come.

PREFACE

On July 30, 2010, President Benigno S. Aquino III issued Executive Order No. 4, which effectively renamed what was previously called the Malacañang Museum into the Presidential Museum and Library (PML) and placed it under the supervision and control of the Presidential Communications Development and Strategic Planning Office (PCDSPO). The PML is responsible for preserving, managing, and promoting the history and heritage of the Philippine presidency. It is the principal historical and artistic repository in support of the institution of the presidency, for the benefit of the Republic and the Filipino people. In partnership with the PCDSPO, which has pioneered the publication of the Official Gazette of the Republic of the Philippines as a web archive and information website, the PML has taken this mandate and placed it on the cutting edge of the information age.

Much has been done over the past years, under the administration of President Aquino III, to digitize executive issuances, speeches, letters, and other presidential papers; and publish them online. The project is not limited to a single administration, nor does it discriminate. This collection, published as databases, as well as print and e-publications, includes documents from the presidency of Emilio Aguinaldo to the current Aquino administration. This represents the government's allegiance to transparency, continuity, and the fostering of an informed citizenry, as well as an effort, in earnest, to preserve the institutional memory of the Presidency. All this was done not just for the posterity, but for the current generation and the ongoing task of nation building.

The PML are proud partners of the Official Gazette and PCDSPO team, to whom we made the collections available. We sincerely hope that this series will serve as a vital reference to educators, students, journalists, lawyers, historians, and the public at large.

FOREWORD

This is the fifth volume of President Fidel V. Ramos' official papers, which constitutes the 12th book of the Messages of the President series. The series was started in 1936 by Executive Secretary Jorge B. Vargas, during the first year in office of Manuel L. Quezon, the first President of the Commonwealth of the Philippines. This volume collects President Ramos' Administrative Orders, which relate to particular aspects of governmental operations in pursuance of the President's duties as administrative head of the Executive Department.

BOOK 12

PRESIDENT FIDEL V. RAMOS

President Fidel V. Ramos was the twelfth President of the Philippines and was the second President of the fifth Republic. He assumed office on June 30, 1992 and was President until June 30, 1998.

The Executive Issuances of President Fidel V. Ramos began with Executive Order No. 1 and Memorandum Circular No. 1, signed on June 30, 1992 and ended with Proclamation No. 1266 that was signed on June 27, 1998.

President Fidel V. Ramos' documents were gathered from its official sources such as the Official Gazette of the Philippines; Malacañang Records Office's Book of Executive Issuances; SONA Technical Report; To Win the Future: People Empowerment for National Development; A Call to Duty; Citizenship and Civic Responsibility in a Third World Democracy; Time for Takeoff: The Philippines is ready for Competitive Performance in the Asia-Pacific; From Growth to Modernization: Raising the Political Capacity and Strengthening the Social Commitments of the Philippine State; Our Time has Come: The Goals we Set Ourselves to Obtain for our People are Now Within our Reach; Leadership for the 21st Century: Our Labors Today will Shape our Country's Future; The Continuity of Freedom: A Democratic and Reformist Society is our Unique Competitive Advantage; and Developing as a Democracy: Reform and Recovery in the Philippines, 1992-1998.

The American Psychological Association (APA) style was used for the citation. The titles that have been provided by the researchers are enclosed in square brackets, considering that the exact wordings and its order were not verbatim from the document being described. Book titles are italicized while the speech titles are not. If in any case that the book title is the same as the title of the speech, it is transcribed in italics because it is the book title.

CONTENTS

Introduction	9
Preface	11
Foreword	13
Research Notes	15
Administrative Orders	21
• Administrative Order Nos. 203 - 204	26
• Administrative Order Nos. 205 - 206	31
• Administrative Order Nos. 207 - 208	36
• Administrative Order Nos. 209 - 210	39
• Administrative Order Nos. 211 - 212	49
• Administrative Order Nos. 213 - 214	54
• Administrative Order Nos. 215 - 216	58
• Administrative Order Nos. 217 - 218	63
• Administrative Order Nos. 219 - 220	67
• Administrative Order Nos. 221 - 222	74
• Administrative Order Nos. 223 - 224	78
• Administrative Order Nos. 225 - 226	82
• Administrative Order Nos. 227 - 228	87
• Administrative Order Nos. 229 - 230	101
• Administrative Order Nos. 231 - 232	107
• Administrative Order Nos. 233 - 234	111
• Administrative Order Nos. 235 - 236	116
• Administrative Order Nos. 237 - 238	123
• Administrative Order Nos. 239 - 240	126
• Administrative Order Nos. 241 - 242	130
• Administrative Order Nos. 243 - 244	137
• Administrative Order Nos. 245 - 246-B	142
• Administrative Order Nos. 247 - 248-A	149
• Administrative Order Nos. 249 - 250	159
• Administrative Order Nos. 251 - 252	166
• Administrative Order Nos. 253 - 254	169
• Administrative Order Nos. 255 - 256	173
• Administrative Order Nos. 257 - 258	177
• Administrative Order Nos. 259 - 260	181
• Administrative Order Nos. 261 - 262	187
• Administrative Order Nos. 263 - 264	191
• Administrative Order Nos. 265 - 266	195
• Administrative Order Nos. 267 - 268	200
• Administrative Order Nos. 269 - 270	205
• Administrative Order Nos. 271 - 272	210
• Administrative Order Nos. 273 - 274	212

• Administrative Order Nos. 275 - 276	216
• Administrative Order Nos. 277 - 278	222
• Administrative Order Nos. 279 - 280	226
• Administrative Order Nos. 281 - 282	228
• Administrative Order Nos. 283 - 284	232
• Administrative Order Nos. 285 - 286	237
• Administrative Order Nos. 287 - 288	242
• Administrative Order Nos. 289 - 290	248
• Administrative Order Nos. 291 - 292	253
• Administrative Order Nos. 293 - 294	259
• Administrative Order Nos. 295 - 296	262
• Administrative Order Nos. 297 - 298	267
• Administrative Order Nos. 299 - 300	271
• Administrative Order Nos. 301 - 302	274
• Administrative Order Nos. 303 - 304	277
• Administrative Order Nos. 305 - 306	282
• Administrative Order Nos. 307 - 308	292
• Administrative Order Nos. 309 - 310	296
• Administrative Order Nos. 311 - 312	300
• Administrative Order Nos. 313 - 314	303
• Administrative Order Nos. 315 - 316	307
• Administrative Order Nos. 317 - 318	311
• Administrative Order Nos. 319 - 320	319
• Administrative Order Nos. 321 - 322	321
• Administrative Order Nos. 323 - 324	326
• Administrative Order Nos. 325 - 326	329
• Administrative Order Nos. 327 - 328	334
• Administrative Order Nos. 329 - 330	338
• Administrative Order Nos. 331 - 332	342
• Administrative Order Nos. 333 - 334	348
• Administrative Order Nos. 335 - 336	353
• Administrative Order Nos. 337 - 338	359
• Administrative Order Nos. 339 - 340	362
• Administrative Order Nos. 341 - 342	368
• Administrative Order Nos. 343 - 344	375
• Administrative Order Nos. 345 - 346	388
• Administrative Order Nos. 347 - 348	394
• Administrative Order Nos. 349 - 350	399
• Administrative Order Nos. 351 - 352	403
• Administrative Order Nos. 353 - 354	407
• Administrative Order Nos. 355 - 356	412
• Administrative Order Nos. 357 - 358	415
• Administrative Order Nos. 359 - 360	419
• Administrative Order Nos. 361 - 362	421
• Administrative Order Nos. 363 - 364	424
• Administrative Order Nos. 365 - 366	434

• Administrative Order Nos. 367 - 368	438
• Administrative Order Nos. 369 - 370	442
• Administrative Order Nos. 371 - 372	449
• Administrative Order Nos. 373 - 374	453
• Administrative Order Nos. 375 - 376	459
• Administrative Order Nos. 377 - 378	463
• Administrative Order Nos. 379 - 380	467
• Administrative Order Nos. 381 - 382	471
• Administrative Order Nos. 383 - 384	477
• Administrative Order Nos. 385 - 386	481
• Administrative Order Nos. 387 - 388	484
• Administrative Order Nos. 389 - 390	488
• Administrative Order Nos. 391 - 392	496
• Administrative Order Nos. 393 - 394	500
• Administrative Order Nos. 395 - 396	510
• Administrative Order Nos. 397 - 398	514
• Administrative Order Nos. 399 - 400	519
• Administrative Order Nos. 401 - 402	526
• Administrative Order Nos. 403 - 404	531
• Administrative Order Nos. 405 - 406	536
• Administrative Order No. 407	542



President Fidel V. Ramos greeted by World War II veterans at the Veterans' National Assembly, Folk Arts Theater, CCP Complex, Manila, July 19, 1996.



MESSAGES OF THE PRESIDENT

FIDEL V. RAMOS

1992-1998

BOOK 12 | VOLUME 5

Administrative Orders Part 2



President Fidel V. Ramos unveils the historical marker commemorating the centennial of the Tejeros Convention in Rosario, Cavite, March 22, 1997.

ADMINISTRATIVE ORDERS

An Administrative Order relates to particular aspects of governmental operations in pursuance of the President's duties as administrative head of the Executive Department. The Administrative Orders of President Fidel V. Ramos began on July 14, 1992 with Administrative Order No. 1 and ended on June 26, 1998 with Administrative Order No. 407.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 203
CREATING THE NATIONAL ORGANIZING COMMITTEE FOR THE 1996 APEC
MINISTERIAL MEETING ON MANPOWER, PRESCRIBING ITS AUTHORITY AND
FUNCTIONS AND APPROPRIATING FUNDS THEREFOR

WHEREAS, the Philippines will Chair the Asia-Pacific Economic Cooperation (APEC) in 1996;

WHEREAS, APEC is composed of eighteen (18) economies in the region, including the major economic partners of the Philippines;

WHEREAS, APEC offers great opportunities for training and skills upgrading of manpower and educational exchanges and cooperation in improving the country's HRD facilities and programs;

WHEREAS, APEC can serve as a forum for promoting the country's national interests, such as, among others, the promotion, development and protection of human resources, as enunciated in the Philippines' "Annex to APEC Economic Leaders' Declaration of Common Resolve" which was presented at the APEC Economic Leaders' Meeting in Bogor, Indonesia, in November 1994;

WHEREAS, at the First APEC Senior Officials Meeting (SOM) for the Seventh APEC Ministerial Meeting which was held in Fukuoka, Japan, on 13-15 February 1995, the Philippines announced that it will host an APEC Ministerial Meeting on Manpower in Manila in January 1996, the first in a series of APEC meetings which the Philippines will host in 1996;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and other laws, do hereby order the creation of a National Organizing Committee for the APEC Ministerial Meeting on Manpower, (NOC-APEC-MMM), as follows:

1. **COMPOSITION** - The NOC-APEC-MMM shall be composed of the Department of Labor and Employment (DOLE) as Chairman, with the National Economic and Development Authority (NEDA) and the Department of Foreign Affairs (DFA) as members.
The NOC-APEC-MMM shall have the authority to select and invite other agencies as members, as the Committee may deem necessary and useful in the accomplishment of its objectives.
2. **FUNCTION AND PURPOSES** - The NOC-APEC-MMM shall oversee and undertake all necessary preparations to ensure the success of the APEC Ministerial Meeting on Manpower which will be held in Manila 10-11 January 1996. It shall perform all other functions as may be necessary for the successful implementation of the APEC Ministerial Meeting on Manpower.
3. **BUDGET** - The NOC-APEC-MMM shall have a budget in the amount of ONE MILLION AND THREE HUNDRED FORTY-SIX THOUSAND FIVE HUNDRED PESOS (P1,346,500.00), to be taken from the General Appropriation Fund's allocation for 1996 APEC Activities.

Pending Congressional approval of the aforementioned allocation, the amount of EIGHT HUNDRED THOUSAND PESOS (P800,000.00) is hereby allocated for the preparation and hosting of the APEC Expert's Meeting on Manpower which will be held in Manila in October 1995, to be taken from the President's Contingency Fund.

4. **EXPIRATION** - The NOC-APEC-MMM shall cease to exist upon the completion of its objective.

This Executive Order shall take effect immediately.

DONE in the City of Manila, this 10th day of July, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 204
CONSTITUTING A NATIONAL EXECUTIVE COMMITTEE FOR THE
COMMEMORATION OF THE 50TH ANNIVERSARY OF THE PHILIPPINE-AMERICAN
FRIENDSHIP DAY ON 04 JULY 1996

WHEREAS, July 4, 1996 marks the 50th Anniversary of the Philippine-American Friendship Day which ushered the beginning of Philippine political independence from the American colonial rule;

WHEREAS, this milestone in Philippine history must be appropriately observed to promote and preserve the spirit of freedom, independence, nationalism and love of country and appreciate the contribution and sacrifice of war veterans in our pursuit of sovereignty;

WHEREAS, the event can serve as an occasion to rekindle Philippine-American friendship and chart a new course of relationship with the United States; and,

WHEREAS, to give meaning and direction to the celebration, there is a need to coordinate all activities during the observance of the event.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Creation of a National Executive Committee. There is hereby constituted a National Executive Committee on the Commemoration of the 50th Anniversary of the Philippine-American Friendship Day, hereinafter referred to as the Committee, to be composed of the following:

- | | | |
|---|---|---------------|
| (a) The Secretary of Foreign Affairs | – | Chairman |
| (b) The Secretary of the National Defense | – | Co-Chairman |
| (c) Chairman, National Centennial Commission | – | Vice-Chairman |
| (d) The Secretary of Tourism | – | Member |
| (e) The Secretary of Education, Culture and Sports | – | Member |
| (f) The Secretary of the Interior and Local Government; | – | Member |
| (g) The Secretary of Transportation and Communications | – | Member |
| (h) The Secretary of Public Works and Highways | – | Member |
| (i) The Secretary of Budget and Management | – | Member |
| (j) The Secretary of Finance | – | Member |
| (k) The Secretary of Environment and Natural Resources | – | Member |
| (l) The Secretary of Trade and Industry | – | Member |
| (m) The Press Secretary | – | Member |
| (n) The Chief of Staff, Armed Forces of the Philippines | – | Member |
| (o) Chairman, Bases Conversion Development Authority | – | Member |
| (p) Administrator, Philippine Veterans Affairs Office | – | Member |
| (q) Chairman, National Historical Institute | – | Member |
| (r) Chairman, National Commission for Culture and Arts | – | Member |

-
- | | | |
|--|---|---------|
| (s) President, Veterans Federation of the Philippines | – | Member |
| (t) At least three (3) Representatives from the private sector | – | Members |

The private sector representatives shall be selected and designated by the Chairman of the Executive Committee.

SEC. 2. Functions of the Committee. The Committee shall take charge of the nationwide preparations for the 50th Anniversary of the Philippine-American Friendship Day on 04 July 1996. For this purpose, it shall have the following functions:

- (a) Formulate all programs, projects and activities that shall be conducted in observance of the 50th Anniversary of the Philippine-American Friendship Day;
- (b) Prepare the implementing guidelines for all programs, projects and activities that shall be undertaken for the commemoration;
- (c) Orchestrate and coordinate the implementation of all the programs, projects and activities that shall be undertaken for the commemoration;
- (d) Source funds and prepare the budget which shall be required by the Committee in the discharge of its functions; and,
- (e) Perform other tasks as may be assigned by the President.

SEC. 3. Operational Relationships. In the preparation and conduct of all programs, projects and activities in the observance of the 50th Anniversary of the Philippine-American Friendship Day, the Committee is authorized to call upon the assistance of any department, bureau, agency, office and other instrumentality of the Government, as well as invite any non-governmental organization as it may deem necessary in the performance of its functions.

SEC. 4. Creation of Subcommittees. The Committee may form sub-committees as it may deem necessary to effectively carry out its duties and responsibilities.

SEC. 5. Technical and Secretariat Support. The Department of Foreign Affairs shall provide technical, secretariat and administrative support to the Committee.

SEC. 6. Funding. Funds necessary to carry out the provisions of this Executive Order shall be taken from the respective appropriations of the concerned agencies. To fund its activities and operations for 1995, an initial amount of FIVE HUNDRED THOUSAND PESOS (P500,000.00) from the President's Contingent Fund shall be released for the purpose.

SEC. 7. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 10th day of July, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 205

CREATING AN OVERSIGHT AND ACTION GROUP (OAG) TO FOLLOW UP AND INSURE
SUBSTANTIAL IMPLEMENTATION OF THE RECOMMENDATIONS OF THE PRESIDENTIAL
FACT-FINDING AND POLICY ADVISORY COMMISSION ON THE PROTECTION OF
OVERSEAS FILIPINOS

WHEREAS, it is the policy of the Philippine Government to be firmly committed to the protection of overseas Filipinos;

WHEREAS, pursuant to the abovementioned policy, the government has created the Presidential Fact Finding and Policy Advisory Commission on the Protection of Overseas Filipinos (otherwise known as the Gancayco Commission) by virtue of Executive Order No. 231 dated 20 March 1995;

WHEREAS, the Gancayco Commission has submitted various recommendations requiring Executive and legislative actions to, among others, improve the Philippine Government's protection of overseas Filipinos; and,

WHEREAS, there is a need to follow up and ensure the effective implementation of the Commission's various recommendations designed to redound to actual benefits for overseas Filipinos.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Oversight and Action Group (OAG). There is hereby created an Oversight and Action Group (OAG) to follow up and insure effective implementation of the Gancayco Commission's recommendations, which shall hereinafter be referred to as the "Oversight and Action Group (OAG)".

SEC. 2. Functions. The OAG shall have the following functions and responsibilities:

- a) Prepare an Action Plan for the Protection of Overseas Filipinos, which shall review and translate the Gancayco Commission's recommendations into specific/detailed measures, including timetables for implementation. In the preparation of the Action Plan, the Committee shall undertake appropriate coordination with concerned departments and agencies;
- b) Oversee and cause the implementation of the Action Plan for the Protection of Overseas Filipinos;
- c) Update and/or revise the Action Plan, based on the outcome of its implementation or other doable recommendations to protect overseas Filipinos;
- e) Monitor the implementation of the Action Plan and submit regular reports to the President, including recommendations to address any issues which may be encountered.

The Oversight Committee shall submit the Action Plan for the Protection of Overseas Filipinos to the President not later than one (1) month from the issuance of this Order.

SEC. 3. Composition. The OAG shall be chaired by the Executive Secretary or his designated representative, with an Undersecretary from the Department of Foreign Affairs as Vice-Chairman. The following shall serve as members of the Committee:

- a) Department of labor and Employment;
- b) Department of Social Welfare and Development;
- c) Department of Justice;
- d) One (1) representative from the non-government organizations; and
- e) One (1) each representative from labor and academe.

Government members to the OAG shall have the rank of Undersecretary.

Non-government members to the Committee shall be designated By the President, upon recommendation of the Executive Secretary.

The OAG is authorized to call upon any department instrumentality or agency of the government for assistance and cooperation.

SEC. 4. Secretariat. The Department of Foreign Affairs shall provide the necessary technical and administrative support to the OAG.

SEC. 5. Effectivity. This Administrative Order shall take effect immediately.

DONE, in the City of Manila, this 13th day of July, in the Year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 206
CREATING A NATIONAL COMMITTEE ON THE INTERNATIONAL DECADE FOR THE
WORLD'S INDIGENOUS PEOPLES, AND DECLARING 1995-2005 AS NATIONAL DECADE
FOR FILIPINO INDIGENOUS PEOPLES

WHEREAS, recalling that the UN General Assembly on 18 December 1990 declared 1993 as “International Year for the World’s Indigenous Peoples: A New Partnership” with the view to strengthening international cooperation towards the solution of problems faced by indigenous communities in such areas as human rights, the environment, education, health, cultural identity, employment and ancestral domain;

WHEREAS, the Philippines is a signatory to the International Labour Organization (ILO) Convention 169 Concerning Indigenous and Tribal Peoples in Independent Countries which is currently the main international legal instrument protecting the rights of indigenous peoples, and other international agreements concerning the environment such as the 1992 UN Convention on Biodiversity and the Principles on Tropical Forests, which directly concerns the 2 million year old biocultural diversity of indigenous peoples in their forests;

WHEREAS, the Philippines, through the initiative of DIALECT-PCCEDIU-International Theatre Institute, FACE/Earthsavers Movement and the Indigenous Organization, Tribal Communities Association of the Philippines (TRICAP), all non-government organizations, initiated the Philippine hosting of the 1988 International Conference and Festival for Indigenous and Traditional Cultures as a UNESCO launching activity of the UN Decade of Culture, and which initiative led to a successful Philippine involvement in the UN General Assembly Declaration of 1993 as the International Year of the World’s Indigenous Peoples and the special participation of the Philippines at the inaugural ceremonies of the UN Year during Human Rights Day on 11 December 1992 at the UN Headquarters;

WHEREAS, the National Organizing Committee for the Global Youth Earthsaving Summit (Global YES) created by Administrative Order No. 28 held in Quezon City on 10-19 April 1993 was the first UN-endorsed international event for the year on the theme “Indigenous and Youth Partnership for Sustainable Development” attended by Nobel Laureate and UN Ambassador for Indigenous Peoples Rigoberta Menchu Tum and Human Rights Awardee, Prince Alfred von Liechtenstein and 1,500 delegates from 28 countries, preceded by a National Conference on Indigenous Peoples with its central theme on Indigenous People’s Traditional Cultures, Ancestral Domain and Self-Governing Communities: A Philippine Strategy for Sustainable Development” initiated by Earthsavers, TRICAP and ITI-FACE;

WHEREAS, the Philippines participated in the World Conference on Human Rights held in Vienna on 14-25 June 1993 which finalized and approved a Draft Universal Declaration on the Rights of Indigenous Peoples that will chart the UN Human Rights Program into the next century, and the Secretary General of the Vienna Conference, Mr. Ibrahim Fall, had expressed interest in support for the Philippine proposal of an Indigenous Cultural Olympics;

WHEREAS, the UN General Assembly 48/163 on 3 December 1993, “noted with satisfaction the holding in Manila of a Global Indigenous Cultural Olympics, reaffirms the role of traditional cultures in the preservation of the environment underscoring the right to cultural survival; and

“Welcomes the proposal for a follow-up gathering of indigenous peoples in 1995, an “Indigenous Peoples Cultural Olympics and Summit”, to be held in conjunction with the International Decade of the World’s Indigenous Peoples and the 50th Anniversary of the United Nations, to reaffirm the value of traditional cultures, folk arts and rituals as effective expressions of respective national identities, and as presentation for the shared vision for peace, freedom and equality”;

WHEREAS, the UNESCO has also designated the “Global Indigenous Cultural Olympics and Summit for Peace and Sustainable Development” (GICOS) as an official activity of the UN Decade of Culture and the observance of UNESCO’s 50th Anniversary of Culture;

WHEREAS, the International Theatre Institute (ITI) has unanimously approved and endorsed participation in the GICOS event at its 26th Congress in Caracas, Venezuela on 24-30 June, 1995, and pledged cooperation of its Theatre Education and Cultural Identity and Development Program;

WHEREAS, it is now incumbent on the Philippine Government to undertake such preparations for the Decade beginning with the Global Indigenous Cultural Olympics and Summit for Peace and Sustainable Development with the full participation on indigenous peoples in the planning, implementation, and evaluation of such program, and other projects and activities that will affect their living conditions now and in the future;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a National Committee for the International Decade of the World’s Indigenous Peoples and declare 1995-2005 as the National Decade of Philippine Indigenous Peoples.

SECTION 1. *Composition of the National Committee.* - I hereby designate the following or their duly authorized representatives to compose the National Committee:

- | | |
|--|------------------|
| 1. Secretary, Department of Foreign Affairs | – Chairperson |
| 2. Secretary, Department of Education, Culture and Sports | – Co-Chairperson |
| 3. Secretary, Department of Environment and Natural Resources | – Member |
| 4. Secretary, Department of Health | – Member |
| 5. Secretary, Department of Labor and Employment | – Member |
| 6. Secretary, Department of Agrarian Reform | – Member |
| 7. Secretary, Department of Tourism | – Member |
| 8. Secretary, Department of the Interior and Local Government | – Member |
| 9. Secretary, Department of Public Works and Highways | – Member |
| 10. Secretary, Department of Trade and Industry | – Member |
| 11. Secretary, Department of Science and Technology | – Member |
| 12. Secretary, Department of National Defense | – Member |
| 13. Secretary, Department of Agriculture | – Member |
| 14. Secretary, Department of Transportation and Communications | – Member |
| 15. The Press Secretary | – Member |
| 16. Presidential Adviser/National Commission on Youth | – Member |
| 17. Commission on Human Rights | – Member |
| 18. Executive Directors of the | |
| a) Office of Northern Cultural Communities | |
| b) Office of Southern Cultural Communities | |
| c) Office of Muslim Affairs | – Members |

SECTION 2. *Functions of the National Committee.* - The National Committee shall prepare the appropriate national program for the World's Indigenous Peoples and the National Decade for Filipino Indigenous Peoples which shall be implemented throughout the Philippines. The National Committee shall also undertake the necessary preparations for the participation of concerned agencies in national and international conferences concerning indigenous peoples, the development of educational and communications materials beginning with the holding in the Philippines of the Global Indigenous Cultural Olympics and Summit on December 1-10, 1995.

The National Committee may secure the cooperation of all government and private instrumentalities to ensure the success of its programs. It shall be in liaison with the Senate Committee on Environment and Education and the House Committee on Cultural Communities and Youth. The National Committee shall organize a Secretariat which will implement the programs and projects of the National Committee and which will include staff members from the organizing hosts of GICOS which are the TRICAP, coordinating for the indigenous peoples; the Earthsavers Movement, coordinating for the environmental NGOs and eco-communications; International Theatre Institute and FACE center coordinating for cultural groups, KBP coordinating with media groups, UP System and CHED for liaison with educational institutions in the tertiary level, the Philippine Business for Social Progress (PBSP), coordinating for the business sector, the University of the Philippines; Hotel and Restaurant Association of the Philippines to assist hospitality needs; and the MMA for Metro Manila Mayors and PCCC/CCP for venue needs.

The National Committee may create such subcommittees as it may deem necessary.

SEC. 3. *Funding.* - The funds necessary to carry out the provisions of this Administrative Order shall be taken from funds available in the Departments and government agencies represented in the National Committee, the National Commission on Culture and the Arts, and in the absence or insufficiency thereof, from any available lump sum appropriation and/or special fund, upon approval by the President.

SEC. 4. *Repealing Clause.* - All provisions of Administrative Order No. 28, Series of 1993 which are inconsistent with the provisions of this Administrative Order are hereby repealed or amended accordingly.

SEC. 5. *Effectivity.* - This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 13th day of July, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 207

**AUTHORIZING THE NETHERLANDS INSURANCE COMPANY (PHILIPPINES), INC.,
TO BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS,
AND UNDERTAKINGS**

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that, whenever any recognizance, stipulation, bond, or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal, or otherwise, or of any undertaking, or for doing, or refraining from doing anything, and such recognizance, stipulation, bond, or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing solely of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds of undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, judge, officer, board, or body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract, or undertaking, unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds, and undertakings;

WHEREAS, NETHERLANDS INSURANCE COMPANY (PHILIPPINES), INC., is a domestic corporation organized and existing under the laws of the Republic of the Philippines, and fulfills the conditions prescribed by said Act No. 536, as amended.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the NETHERLANDS INSURANCE COMPANY (PHILIPPINES) INC., to become a surety upon official recognizances, stipulations, bonds, and undertakings, in such manner and under such conditions as are provided by law, subject, however, to the condition that the amount constituting the contributed surplus fund shall not at anytime be withdrawn without prior recommendation and justification by the Insurance Commissioner, duly approved by the Secretary of Finance, and provided further, that the moment NETHERLANDS INSURANCE COMPANY (PHILIPPINES), Inc., becomes indebted to any government instrumentality or political subdivision thereof, or to any government-owned or controlled corporation in the total amount of P50,000.00 accruing from the issuance of bonds, the same having become due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of bonds until the outstanding liabilities in government bonds shall have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of this Administrative Order.

Done in the City of Manila, this 28th day of July, in the year of Our Lord, nineteen hundred and ninety five.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Note: This issuance is followed by Administrative Order No. 209, s. 1995.

Office of the President of the Philippines. (1995). [*Administrative Order Nos.: 201 - 300*]. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

ADMINISTRATIVE ORDER NO. 208

Based on the records available on file and in the possession of Malacañang Records Office, Administrative Order No. 208 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 209
IMPOSING THE PENALTY OF SIX (6) MONTHS SUSPENSION FROM THE
SERVICE WITHOUT PAY ON SECOND ASSISTANT CITY PROSECUTOR
VICTORINO S. ALVARO OF MANILA

This refers to the administrative complaint filed *motu proprio* by the Department of Justice against Manila Second Assistant City Prosecutor Victorino S. Alvaro for grave misconduct and conduct prejudicial to the best interest of the service.

Records disclose that on December 22, 1992, Prosecutor Alvaro, in his capacity as Assistant Chief of the Inquest Division, approved the resolution of the inquest prosecutor finding a *prima facie* case of murder without bail against Braulio Miano, the mastermind; Cecilio Gaddi, the knifewielder; and Ledencio Buenafe, the courier, in the killing of Gelita Sarayan. Gaddi and Buenafe executed extra-judicial confessions, with the assistance of counsel, alleging that Miano instructed them to execute the killing.

On December 23, 1992, Prosecutor Alvaro modified said resolution by issuing a second resolution which he dictated to stenographer Josefina Yambao, finding Gaddi and Buenafe liable for murder and downgrading the charge against Miano to homicide. Special Counsel Zenaida Laguilles refused to sign the informations for murder and homicide as she noticed the existence of conspiracy among the three (3) suspects which warranted the filing of a common charge of murder. Special Counsel Venepi Canta likewise refused to sign the informations as he found it erroneous to charge a principal by induction with mere homicide when his co-accused was being charged with murder. The informations were finally signed by Prosecutor Alvaro directing the filing of separate informations for murder and homicide. The said informations were approved by Prosecutor Alvaro and file in court.

The following day, December 24, 1992, Miano was released from detention upon posting the recommended bail of P20,000.00. He was arraigned by the court for homicide on January 11, 1993.

Consequently, Prosecutor Alvaro was held to answer for downgrading the charge as well as signing and approving the defective information for homicide against Miano who was cited therein as the knifewielder when he was the principal by induction. In view of the defect in the information which could lead to the dismissal of the case, and as the charge could no longer be raised to murder, Miano having been arraigned, the City Prosecutor, as a remedial measure, moved for the amendment of the information to include the participation of Gaddi and Buenafe.

Prosecutor Alvaro denies having issued a resolution downgrading the charge against Miano and having directed the preparation of the two (2) informations for murder and homicide. He claims that what he prepared was a short memo urging the prosecutor assigned to file the information to further evaluate the evidence on record in the light of the doctrine of *res inter alios acta* since he entertained doubts as to whether the three (3) suspects should be indicted for murder in the absence of an independent evidence of conspiracy. He avers that his approval of the two (2) informations was an honest mistake as he presumed that Prosecutor Diccion had examined carefully their contents.

The recommendation of the Secretary of Justice to suspend Prosecutor Alvaro from the service for six (6) months without pay is anchored on the findings after a formal investigation that Prosecutor Alvaro deliberately downgraded the charge against Miano without the required approval of the Chief of the Inquest Division, which is an office procedure, and that he knowingly signed or approved the defective information for homicide against Miano. Prosecutor Alvaro, by giving instructions to file separate informations for homicide and murder, flagrantly ignored the basic principle in criminal law and procedure that when two (2) or more persons are found liable for murder or homicide, in conspiracy with one another as principals, they should all be indicted in the same criminal information for the same charge. Prosecutor Alvaro's deliberate and irregular acts have resulted to the failure of the prosecution to prosecute Miano for murder as he had already been arraigned for homicide as well as Gaddi, the knifewielder, who had been included in the amended information for homicide.

We concur with the findings of the Secretary of Justice.

That Prosecutor Alvaro deliberately downgraded the charge against Miano has been sufficiently established by the testimonies of witnesses against him. His defense that his approval of the informations for murder and homicide was an honest mistake is indeed incredible, he being an experienced prosecutor.

WHEREFORE, premises considered, respondent Victorino S. Alvaro, Second Assistant City Prosecutor of Manila, is hereby found guilty as charged. Accordingly, he is hereby suspended from the service for six (6) months, without pay, effective fifteen (15) days after his receipt of the copy of this order.

Done in the City of Manila this 2nd day of August, in the year of Our Lord, nineteen hundred and ninety five.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 209-A
REDUCING THE PENALTY OF SIX (6) MONTHS SUSPENSION FROM THE SERVICE
WITHOUT PAY TO THREE (3) MONTHS SUSPENSION ON SECOND ASSISTANT CITY
PROSECUTOR VICTORINO S. ALVARO OF MANILA

This refers to the Motion for Reconsideration filed by 2nd Asst. City Prosecutor Victorino S. Alvaro, of Administrative Order No. 209, dated August 2, 1995, imposing upon him the penalty of six (6) months suspension from the service, without pay, for grave misconduct and conduct prejudicial to the best interest of the service.

Upon Indorsement by this Office dated October 12, 1995, of the instant motion, to the Department of Justice for comment, the Secretary of Justice replied on February 13, 1996, in this wise:

“Pursuant to your 1st Indorsement dated October 12, 1995 hereunder are our comments on the motion for reconsideration of 2nd Assistant City Prosecutor Victorino S. Alvaro of the Office of the City Prosecutor of Manila of Administrative Order No. 209, dated August 2, 1995, imposing the penalty of six (6) months suspension from the service without pay.

“We carefully re-evaluated the evidence adduced during the formal investigation in the light of the arguments raised in the said motion and we find cogent reasons to modify our finding and recommendation.

“At the outset, we wish to state that aside from the administrative complaint filed with this Department against Prosecutor Alvaro, then 1st Assistant City Prosecutor Porfirio S. Macaraeg (now Judge) of Manila, likewise filed a criminal complaint with the Office of the Ombudsman for violation of Sec. 3 (e) of R.A. 3019, as amended, involving exactly the same set of facts, the same witnesses and the same documentary exhibits. When this Department resolved the instant administrative complaint, the Office of the Ombudsman had not yet resolved the said similar complaint and it was only after this Department had already submitted its finding and recommendation to your Office that the Office of the Ombudsman came up with a resolution dismissing the complaint.

“While an absolution from a criminal charge is not a bar to an administrative prosecution and neither would the results in one conclude the other, we, however, find these principles inapplicable. The criminal complaint which involved the same act complained of in the instant administrative charge was dismissed even before reaching the court because of lack of probable cause.

“Besides, as can be gleaned from our finding and recommendation and that of the Office of the Ombudsman, it is very apparent that there are two (2) conflicting findings involving the same facts and issues. Specifically, while this Department found *‘that Prosecutor Alvaro deliberately, downgraded the charge*

against Miano' x x and 'his defense that his approval of the information of murder and homicide was an honest mistake is indeed incredible, he being an experienced prosecutor', the Office of the Ombudsman, on the other hand, found that the 'established facts and circumstances tend to negate the existence of evident bad faith or premeditated mistake as imputed to respondent x x x' (p. 3, Res. of Ombudsman dated October 28, 1994) and concluded that 'from the evidence, it can be deduced that the mistake committed was not a deliberate scheme to favor accused Miano or to prejudice the administration of justice' (p. 7, Ibid).

“Clearly, we have a situation wherein two (2) fora have conflicting and irreconcilable findings on the same act complained of with one forum saying that the mistake committed was not deliberate while the other forum found such mistake committed deliberately. In order to rectify this blatant inconsistency of findings and taking into account the fact that the finding of the Office of the Ombudsman had already become final and executory, administrative courtesy and propriety dictate that we subscribe to its findings which are elucidated in the following manner, thus -

“The following established facts and circumstances tend to negate the existence of evident bad faith or premeditated mistake as imputed to respondent Alvaro, to wit:

“1. Contrary to complainant's assertion that Prosecutor Alvaro stole from the records the note where the latter wrote his directive to downgrade the offense, said respondent admitted that after his 1st short Memo dated 12-22-92 was rejected by Special Counsel Laguilles he detached the same and dictated a 2nd on 12-23-92 but no specific addressee was mentioned therein (Rejoinder-affidavit of Alvaro, p. 172, Records).

“Furthermore, he submitted that he also removed the 2nd short memo from the records of the case (p. 173, Records) after Prosecutor Canto disagreed with his suggestion.

“Respondent's actuations cannot be considered as irregular because it is a common practice for the Chief or Assistant Chief of the Inquest Division to make suggestions thru a Memo and exchange views/opinions with the filing Prosecutor as part of the evaluation process in order to ensure the preparation of an accurate information.

“2. The insinuations that respondent Alvaro pressured Prosecutor Diccion to sign the prepared information downgrading the charge against Miano by presenting the same thru stenographer Josie Yambao at 5:00 p.m. when she was about to leave the office so that she could not have sufficient time to read it are not supported by the facts. The logbook entries show that the records of I.S. No. 33676-78 subject of this complaint was handed to Prosecutor Diccion at 3:00 p.m. for her evaluation. She signed the information and returned the records to the Inquest Division at 3:25 p.m. on 23 December 1992 (p. 193, Records). Also, as shown by the

records, Criminal Case No. 92-114137 against Miano was filed and received by Willie Carino, a personnel of the Office of the Clerk of Court, Regional Trial Court, Manila, at 4:00 p.m. on 23 December 1992 (p. 194, Records). Thus, the admission of Prosecutor Diccion that she did not carefully read the information before she signed it is her own accountability. Suffice it to say that there is no positive evidence showing that she was influenced or induced by respondent to sign the Information against her will.

“3. The recommendation of respondent Alvaro to down-grade the offense charged against Miano was not premeditated in order to allow the latter to post bail for his temporary liberty for the following reasons:

“a. Due to the failure of the arresting officer to submit the death certificate, medical and autopsy case report (as this is a medico-legal case the Inquest Prosecutor with approval of the City Prosecutor may direct the arresting officer to release the accused pursuant to existing Department of Justice (DOJ) Circular; but respondent did not do so;

“b. Respondent Alvaro could have approved the proposal of Prosecutor Venepi Canta who was inclined to recommend the release of accused Miano for further investigation (p. 093, Records). However, respondent did not adopt said recommendation.

“4. After PO3 Rosendo de los Santos called his attention to the defectively worded information (p. 195, Records), respondent immediately verified from the expediente of the case and thereafter sought the advice of his immediate superior. To rectify the error committed by Prosecutor Diccion, respondent recommended (which suggestion was approved by Chief Ofilada), that the said defective information be withdrawn, instead of seeking amendment, considering that accused Miano was already released on bail and the Court where the case was filed could not issue a warrant of arrest without first ordering the Prosecutor’s Office to conduct a preliminary investigation.

“Besides, in actual practice, before the accused is arraigned the Judge has no ground to deny a motion to withdraw an information. And even the defense counsel has no ground to object against the said withdrawal, whereas, a judge can deny a motion to amend an information before arraignment and the counsel for the accused can also vigorously object thereto especially if the amendment is to charge his client from a lower to a higher offense.

“Another reason for respondent’s suggestion to withdraw the said information is the absence of an allegation in the information against Miano of the essential phrase ‘in conspiracy’.

“It may not be amiss to state that the situation would have been different if the Office of the Ombudsman found probable cause against respondent prosecutor of the criminal offense charged because such finding of probable cause would have otherwise supported our finding that respondent prosecutor was administratively guilty of grave misconduct which warranted our recommendation of his suspension for six (6) months from the service without pay.

“Under the foregoing circumstances, we find erroneous our finding that respondent prosecutor is guilty of grave misconduct. Instead, we find him guilty of simple neglect of duty, having failed to exercise due diligence and circumspection in signing and approving a defective information prepared by a subordinate. Being an experienced prosecutor, prudence should have prompted respondent prosecutor to carefully examine any document presented ‘to him for his signature to avoid any suspicion of anomaly or irregularity in his actions.

“Accordingly, it is respectfully recommended that our previous finding and recommendation on the instant administrative complaint against respondent prosecutor which was the basis of the assailed Administrative Order No. 209 dated August 2, 1995, be modified. It is hereby recommended that the penalty of suspension from the service be reduced from six (6) months to three (3) months, without pay.

Very truly yours,
TEOFISTO T. GUINGONA, JR.
Secretary

The opinion and recommendation of the Secretary of Justice is well-taken. However, this Office notes that Prosecutor Alvaro has already served the full penalty of six months suspension, without pay, pursuant to Administrative Order No. 209 resulting in the iniquitous situation where the suspension actually suffered was double the penalty to be actually imposed by this final order resolving his Motion for Reconsideration. In *Abellera vs. City of Baguio* (19 SCRA. 600) the Supreme Court settled the discrepancy brought about by such circumstances in this wise:

“The rule on payment of back salaries during the period of suspension of a member of the civil service who is subsequently ordered reinstated is already settled in this jurisdiction. Such payment of salaries corresponding to the period when an employee is not allowed to work may be decreed not only if he is found innocent of the charges which caused his suspension (Sec. 35, Rep. Act 2260), but also when the suspension is unjustified.

“In the present case, upon receipt of the decision of the Civil Service Commissioner finding petitioner-appellant guilty, but even before the period to appeal had expired, respondents dismissed the latter from the service and another one was appointed to replace him. The separation of petitioner before the decision of the Civil Service Commissioner had become final was evidently

premature. Respondents should have realized that the employee still had the right to appeal the Commissioner's decision to the Civil Service Board of Appeals within a specified period, and the possibility of that decision being reversed or modified. As it did happen, on such appeal by the petitioner, the penalty imposed by the Commissioner was reduced by the reviewing Board to only 2 months suspension. And yet, by respondents' action, petitioner was deprived of work for more than 2 years. Clearly, Abellera's second suspension from office, from July 10, 1961 to November 10, 1963, was unjustified, and the payment of the salaries corresponding to said period is, consequently, proper. Otherwise, Abellera would, in effect, suffer a suspension longer than that meted him by the Civil Service Board of Appeals."

WHEREFORE, Administrative Order No. 209 dated August 2, 1995, is hereby **MODIFIED** in that respondent Victorino S. Alvaro, Second Assistant City Prosecutor' of Manila, is hereby found guilty of **SIMPLE NEGLIGENCE OF DUTY**; the penalty of suspension from the service for six (6) months without pay, is hereby reduced to three (3) months, without pay; and considering that respondent was deprived of work for six (6) months which is three (3) months more than the penalty actually imposed upon him, he is therefore entitled to recover salaries corresponding to the other three (3) months during which he was suspended, pursuant to the decision of the Supreme Court in *Abellera vs. City of Baguio*, (supra).

DONE in the City of Manila, this 12th day of March, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). [*Administrative Order Nos.: 201 - 300*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 210

AMENDING ADMINISTRATIVE ORDER NO. 9 (S. 1992) ENTITLED “CREATING AN AD-HOC COMMITTEE ON THE DISPOSITION OF IDLE PROPERTIES OF THE PHILIPPINE GOVERNMENT LOCATED IN THE PHILIPPINES”

WHEREAS, the Philippine Government, through its various departments, bureaus, offices, agencies, and instrumentalities, including government-owned and controlled corporations, owns real properties nationwide which continue to be idle and/or are underutilized;

WHEREAS, considering the scarce resources of government and so as not to depend solely on government appropriations, the most optimal mode and best use of idle and/or underutilized properties should be determined and should be developed, at the least cost to government, for the construction of new government buildings and/or business establishments, among others; and,

WHEREAS, there is an Ad-Hoc Committee on the Disposition of Idle Properties of the Philippine Government Located in the Philippines created by virtue of Administrative Order No. 9, dated 11 September 1992, to formulate action plans and advise the President on the disposition/conveyance of idle real properties;

WHEREAS, the Department of Environment and Natural Resources was created, by virtue of Executive Order No. 192 (s. 1987), to exercise, among others, exclusive jurisdiction on the management and disposition of all lands of the public domain.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby amend Administrative Order No. 9 (s. 1992) as follows:

SECTION 1. Section 2 of Administrative Order No.9 (s. 1992) is hereby amended to read as follows:

“**Sec. 2. Composition.** The Committee shall be composed of the Secretary of the Department of Environment and Natural Resources (DENR) as Chairman, and the Secretaries of Budget and Management (DBM), Justice (DOJ), Finance (DOF), National Economic Development Authority (NEDA), Chairmen of the Committee on Privatization (COP) and of the Presidential Commission on Good Government (PCGG), Head of the Presidential Management Staff (PMS), Commissioner of the Housing and Land Use Regulatory Board (HLURB), Administrator of the Land Registration Authority (LRA), and General Manager of the Public Estates Authority (PEA) as members.”

SEC. 2. Section 3 of Administrative Order No. 9 (s. 1992) is hereby amended to read as follows:

“**Sec. 3. Powers and Functions.** The Committee shall have, among others, the following powers and functions:

- a) To review and complete the existing inventory for real properties located in the Philippines and owned by the Government, through its departments, bureaus, offices, agencies and instrumentalities, including government-owned or controlled corporations;
- b) To study the problems and recommend solutions regarding the development and disposition of government lands and assets in the country;
- c) To formulate an action plan for the disposition/conveyance of properties, including the identification of, at least, ten (10) government lands which can be developed for government offices and/or business establishments;
- d) To recommend action plans for the disposition/conveyance of properties to the President; and,
- e) To call upon any department, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporations, for assistance that it may require in the performance of its mandate.

The Committee shall give priority to the Build-Operate-Transfer (BOT) and related schemes as the primary mode of disposition for idle properties.”

SEC. 3. Section 4 of Administrative Order No. 9 (s. 1992) is hereby amended to read as follows:

“Sec. 4. Technical/Secretariat Support. The Department of Environment and Natural Resources (DENR), in coordination with the Presidential Management Staff (PMS), shall provide technical and secretariat support to the Committee.”

SEC. 4. Two (2) new sections between Sections 4 and 5 of Administrative Order No. 9 are hereby inserted as follows:

“Sec. 6. Turn Over of Records. To ensure continuity and to avoid unnecessary duplication of efforts, all the records and outputs of the previous Committee shall be turned over to the reconstituted Committee, upon effectivity of this Order.

Sec. 7. Submission of Reports. The Committee shall submit quarterly reports to the Office of the President, through the Executive Secretary, on the status of activities in pursuance of its mandate.”

SEC. 5. Section 5 of Administrative Order No. 9 is redenominated as Section 8.

DONE in the City of Manila, this 11th day of August, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 211

CONSTITUTING A NATIONAL EXECUTIVE COMMITTEE FOR THE COMMEMORATION
OF THE 50TH ANNIVERSARY OF THE SURRENDER OF GENERAL TOMOYUKI YAMASHITA
ON SEPTEMBER 2, 1995, IN KIANGAN, IFUGAO, AND HIS OFFICIAL SURRENDER ON
SEPTEMBER 3, 1995, IN BAGUIO CITY

WHEREAS, September 2, 1995 marks the 50th Anniversary of the Surrender of General Tomoyuki Yamashita of the Japanese Imperial Army in Kiangan, Ifugao, and September 3, 1995, the 50th Anniversary of his Official Surrender in Baguio City which signalled the end of Japanese resistance in the Philippines during World War II;

WHEREAS, these events should be appropriately observed to promote, preserve and memorialize the principles, ideals and deeds of Filipino military veterans as a means of enhancing patriotism and love of country, especially among the youth of the land;

WHEREAS, the commemoration of these events should be focused on the values of freedom and lasting peace for which Filipino war veterans fought valiantly, many of whom paid the ultimate sacrifice;

WHEREAS, there is a need to coordinate all activities that are envisioned to foster nationalism among Filipinos, particularly with that of the National Centennial Commission, which was created pursuant to EO 128, dated October 4, 1993, to act as the principal coordinator for all activities related to the Centennial Celebrations of Philippine Independence.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Creation of a National Executive Committee.* There is hereby constituted a National Executive Committee on the Commemoration of the 50th Anniversary of the Official Surrender of General Tomoyuki Yamashita hereinafter referred to as the Committee, to be composed of the following:

- (1) The Secretary of National Defense, as Chairman
- (2) The Secretary of Tourism, as Vice-Chairman
- (3) The Secretary of Foreign Affairs;
- (4) The Secretary of Education, Culture and Sports;
- (5) The Secretary of the Interior and Local Government;
- (6) The Secretary of Transportation and Communications;
- (7) The Secretary of Public Works and Highways;
- (8) The Secretary of Budget and Management;
- (9) The Secretary of Environment and Natural Resources;
- (10) The Secretary of Finance;
- (11) Press Secretary;

- (12) Chief of Staff, Armed Forces of the Philippines;
- (13) Chief, Philippine National Police;
- (14) Administrator, Philippine Veterans Affairs Office;
- (15) Chairman, National Historical Institute;
- (16) Governor, Province of Ifugao;
- (17) Governor, Province of Benguet;
- (18) Governor, Province of Mt. Province;
- (19) Mayor, City of Baguio;
- (20) Mayor, Kiangnan, Ifugao;
- (21) Mayor, Lagawe, Ifugao;
- (22) Mayor, Banawe, Ifugao;
- (23) Mayor, Lamut, Ifugao;
- (24) Mayor, Bagabag, Nueva Vizcaya;
- (25) Chairman, Ifugao Terraces Commission
- (26) Chairman, Cordillera Regional Assembly
- (27) Executive Director, Office of the Northern Cultural Communities
- (28) President, Veterans Federation of the Philippines;
- (29) National Commander, United States Armed Forces in the Philippines,
Northern Luzon (USAFIP-NL);
- (30) National President, Boy Scouts of the Philippines;
- (31) National President, Girl Scouts of the Philippines;
- (32) Chief, Military Shrines Service;
- (33) Representative of Non-Governmental Organizations

SEC. 2. *Functions of the Committee.* The Committee shall take charge of the preparations for the 50th Anniversary of the Surrender of General Tomoyuki Yamashita on September 2, 1995, in Kiangnan, Ifugao, and his official surrender on September 3, 1995, in Baguio City. For this purpose, it shall have the following functions:

- (a) Formulate all the programs, projects and activities that shall be conducted in observance of the 50th Anniversary of the Surrender of General Tomoyuki Yamashita in Kiangnan, Ifugao and Baguio City;
- (b) Prepare the implementing guidelines for all the programs, projects and activities that shall be undertaken for the commemoration;
- (c) Orchestrate and coordinate the implementation of all the programs, projects and activities that shall be undertaken for the commemoration;
- (d) Source funds and prepare the budget which shall be required by the Committee in the discharge of its functions; and
- (e) Perform other tasks as may be given by the President.

SEC. 3. *Operational Relationships.* In the conduct of all programs, projects and activities in the observance of the 50th Anniversary of the Official Surrender of General Tomoyuki Yamashita on September 2-3, 1995 in Kiangnan, Ifugao, and Baguio City, respectively, the Committee shall coordinate with the National Centennial Commission.

The Committee is also authorized to call upon the assistance of any department, bureau, agency, office and other instrumentality of the Government, as well as invite non-governmental organizations as it may deem necessary in the performance of its functions.

SEC. 4. *Creation of Sub-Committees.* The Committee may form sub-committees as it may deem necessary to effectively carry out its duties and responsibilities.

SEC. 5. *Technical and Secretariat Support.* The Department of National Defense shall provide technical, secretariat and administrative support to the Committee.

SEC. 6. *Funding.* Funds necessary to carry out the provisions of this Administrative Order shall be taken from the respective appropriations of the concerned agencies.

SEC. 7. *Effectivity.* This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 15th day of August, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). [*Administrative Order Nos.: 201 - 300*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 212
IMPOSING THE PENALTY OF SUSPENSION FROM OFFICE OF ASSISTANT CITY
PROSECUTOR MACMOD SANGCA OF MANILA FOR NEGLIGENCE OF DUTY

This refers to the administrative complaint against Assistant City Prosecutor Macmod Sangca of Manila for gross neglect of duty.

Records show that on July 7, 1989, a certain Epitacia J. Gutierrez filed a criminal complaint with the Office of the City Prosecutor of Manila against Constancio Simangan, et al. for estafa through falsification of public documents. The complaint was docketed in the said office as I.S. No. 89-48955 and assigned to Assistant City Prosecutor Macmod Sangca for preliminary investigation on December 19, 1989. When the instant complaint was filed by Gutierrez on February 13, 1992, the case was still unresolved despite the three (3) previous motions to resolve filed by complainant's counsel, Atty. Mauricio C. Ulep.

In a 1st Indorsement dated March 4, 1992, respondent prosecutor was required by the Department of Justice to answer or comment on the complaint against him. Thereafter, he was twice directed to submit his evidence but still, he failed to do so. Consequently, the said Department formally charged him with the administrative offense of gross neglect of duty on August 16, 1994. Respondent was still unable to file his answer to the complaint despite several opportunities accorded him during the formal investigation.

Based on the uncontroverted evidence of the complainant on record, it is crystal clear that Prosecutor Sangca failed to resolve I.S. No. 89-48955 within and way beyond the period of sixty (60) days from date of assignment as prescribed by then Ministry (of Justice) Circular No. 1 dated January 8, 1985, as amended. Since the case was assigned to him for preliminary investigation on December 19, 1989, the same remained unresolved for almost five (5) years as of September, 1994 when the instant complaint was being formally investigated. Such omission, aggravated by his similar failure to explain it, constitutes a neglect of duty. The same greatly affects the administration of justice and depreciates the people's confidence in our justice system. His unexplained omission in resolving the case assigned to him cannot go unpunished.

Wherefore, premises considered, respondent prosecutor Macmod Sangca is hereby found liable for neglect of duty and is meted the penalty of suspension from office for one hundred twenty (120) days without pay with a warning that a commission of a similar offense in the future will be dealt with more severely.

DONE in the City of Manila, this 23rd day of August, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 213
CONSTITUTING A CONSULTATIVE COUNCIL ON RICE AND OTHER GRAINS

WHEREAS, agricultural development and food security are integral components of our strategy to attain growth and modernization;

WHEREAS, the supply, distribution, and price stabilization of rice and other grains are critical to our country's food security and the over-all development of the agricultural sector;

WHEREAS, the government adopts the policy of consultation through tripartism as a mechanism for problem-solving and direction-setting;

NOW THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the creation of a Consultative Council on Rice and other Grains (hereinafter referred to as the Council).

SECTION 1. COMPOSITION. The Council shall be chaired by the Secretary of the Department of Agriculture with the following as members:

President, Philippine Grains Industry Council (Co-Chair)
Secretary, Department of Agrarian Reform
Secretary, Department of Trade and Industry
Secretary, Department of Science and Technology
Secretary, Department of Interior and Local Government
President, League of Provinces
President, League of Cities
President League of Municipalities
Representative from the livestock industry
Representative from consumer organizations
Two Representatives from the basic sectors

The representatives from the livestock industry, consumer organizations, and basic sectors shall be appointed by the President upon the recommendation of the Chairman of the Council.

SEC. 2. FUNCTIONS. The Council will serve as a consultative body on matters related to supply and pricing of rice and other grains and provision of support facilities to rice and grain farmers. The Council shall also serve as recommendatory body to the President on matters pertaining to rice and grains issues.

SEC. 3. SECRETARIAT SUPPORT. Secretariat support shall be provided by the Department of Agriculture.

SEC. 4. EFFECTIVITY. This Administrative Order shall take effect immediately.

DONE in the City of Manila this 24th day of August, in the Year of our Lord, Nineteen Hundred and Ninety Five.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 214
CREATING AN EXECUTIVE COMMITTEE TO OVERSEE THE BOT/BOO IMPLEMENTATION
OF THE PROPOSED SILANGAN EXPRESS 2000 RAILWAY SYSTEM CONNECTING METRO-
MANILA AND QUEZON PROVINCE

WHEREAS, there are large tracts of public land in Quezon Province which are suitable as sites for low-cost housing as well as resettlement sites for Metro Manila squatters;

WHEREAS, an efficient railway system from this area to Metro Manila is necessary to catalyze the development of the area and make it practical and attractive as housing sites;

WHEREAS, the MARILAQUE Commission, the Department of Transportation and Communications, and the Department of Environment and Natural Resources have found the building of such a railway system feasible and have proposed the construction of the Silangan Express 2000 Railway System from Paco, Metro Manila, to Real, Quezon Province, subject to a detailed feasibility study;

WHEREAS, the early implementation of this project is crucial in relieving the critical housing shortage in Metro Manila and in alleviating its large squatter problem;

WHEREAS, there is a need for a dedicated body to oversee the implementation of this railway project to ensure its timely and effective implementation;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Creation of an Executive Committee.* An Executive Committee, hereinafter referred to as the “Committee”, is hereby created to oversee the implementation of the proposed Silangan Express 2000 Railway System.

SEC. 2. *Composition.* The Committee shall be chaired by the Chairman of the MARILAQUE Commission and Co-chaired by the CORD for Region IV, with the following as members:

- | | |
|-----------------------|---|
| a. Secretary | - Department of Transportation and Communications; |
| b. Secretary | - Department of Environment and Natural Resources; |
| c. Secretary | - Department of the Interior and Local Government; |
| d. Director General | - National Economic and Development Development Authority; |
| e. Head | - Presidential Management Staff; |
| f. Chairman | - Philippine National Railways; |
| g. Executive Director | - Coordinating Council for the Philippine Assistance Program; |
| h. Governor | - Quezon Province; and |
| i. Governor | - Rizal Province. |

SEC. 3. *Functions.* The Committee shall have the following duties and functions:

- a. oversee the preparation of a feasibility study of the proposed Silangan Express 2000 Railway System;
- b. determine the implementation scheme for the project either through Build-Operate-Transfer (BOT) Build-Own-Operate (BOO) scheme; and
- c. facilitate the resolution of issues and concerns affecting the timely and effective implementation of the railway project.

The Committee may create such sub-committees as may be necessary to ensure the efficient performance of its designated tasks.

Further, the Committee is authorized to call upon other agencies of the government to assist it in the discharge of its functions.

SEC. 4. *Secretariat.* The MARILAUQUE Commission shall provide technical and administrative staff support to the Committee.

SEC. 5. *Reporting.* The Committee shall submit regular reports on its activities and status of the project to the Office of the President.

SEC. 6. *Effectivity.* This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 30th day of August, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 215
CONSTITUTING A NATIONAL EXECUTIVE COMMITTEE FOR THE COMMEMORATION
OF THE 50TH ANNIVERSARY OF VICTORY DAY IN NEGROS ISLAND ON
SEPTEMBER 9, 1995

WHEREAS, September 9, 1995 marks the 50th Anniversary of Victory Day in Negros Island during World War II with the surrender of estimated 12,000 enemy soldiers under General Takaise Kono at Sta. Rosa, Murcia;

WHEREAS, it took the combined efforts of the American Forces, the 7MD Guerilla Forces, the Free Civil Government of Negros and the majority of the civilian population to successfully liberate the Island;

WHEREAS, the Battle of Patag, in Silay City, which preceded the surrender of General Kono's outfit may be regarded as the last battle of World War II in the Pacific, considering that the entire Japanese Imperial Forces surrendered formally to Gen. Douglas MacArthur aboard the USS Missouri on September 2, 1945 while the Battle at Patag was still raging;

WHEREAS, this event should be appropriately observed to promote, preserve and memorialize the principles, ideals and deeds of Filipino military veterans as a means of enhancing patriotism and love of country, especially among the youth of the land;

WHEREAS, the commemoration of this event should be focused on the values of freedom and lasting peace for which Filipino war veterans fought valiantly, many of whom paid the ultimate sacrifice;

WHEREAS, there is a need to coordinate all activities that are envisioned to foster nationalism among Filipinos, particularly with that of the National Centennial Commission, which was created pursuant to E.O. 128 dated October 4, 1993, to act as the principal coordinator for all activities related to the Centennial Celebrations of Philippine Independence;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Creation of a National Executive Committee.* - There is hereby constituted a National Executive Committee on the Commemoration of the 50th Anniversary of Victory Day in Negros Island, hereinafter referred to as the Committee, to be composed of the following:

- (1) The Secretary of National Defense, as Chairman;
- (2) The Secretary of the Interior and Local Government, as Vice-Chairman;
- (3) The Secretary of Tourism
- (4) The Secretary of Foreign Affairs;
- (5) The Secretary of Education, Culture and Sports;
- (6) The Secretary of Transportation and Communications;
- (7) The Secretary of Public Works and Highways;

- (8) The Secretary of Budget and Management;
- (9) The Press Secretary;
- (10) Chief of Staff, Armed Forces of the Philippines;
- (11) Chief, Philippine National Police;
- (12) Administrator, Philippine Veterans Affairs Office;
- (13) Chairman, National Historical Institute;
- (14) Director, Philippine Information Agency;
- (15) Governor, Province of Negros Occidental;
- (16) Governor, Province of Negros Oriental;
- (17) Governor, Province of Siquijor;
- (18) Mayor, Bacolod City;
- (19) Mayor, Silay City;
- (20) Mayor, Murcia, Negros Occidental;
- (21) President, Veterans Federation of the Philippines;
- (22) National President, Boy Scouts of the Philippines;
- (23) National President, Girl Scouts of the Philippines;
- (24) Chief, Military Shrines Service;
- (25) President, Sons and Daughters of Veterans, Inc.;
- (26) Two (2) Representatives of Non-Governmental Organizations.

SEC. 2. Functions of the Committee - The Committee shall take charge of the preparations for the 50th Anniversary of Victory Day in Negros Island on 9 September 1995. For this purpose, it shall have the following functions:

- (a) Formulate all the programs, projects and activities that shall be conducted in observance of the 50th Anniversary of Victory Day in Negros Island;
- (b) Prepare the implementing guidelines for and orchestrate and coordinate the implementation of all the programs, projects and activities that shall be undertaken for the commemoration;
- (c) Source funds and prepare the budget which shall be required by the Committee in the discharge of its functions; and
- (d) Perform such other tasks as may be given by the President.

SEC. 3. Operational Relationships - In the conduct of all programs, projects and activities for the observance of the 50th Anniversary of Victory Day In Negros Island on 9 September 1995, the Committee shall coordinate with the National Centennial Commission.

The Committee is also authorized to call upon any department, bureau, agency, office and other instrumentality of the Government for assistance, as well as invite non-governmental organizations as it may deem necessary in the performance of its functions.

SEC. 4. Creations of Sub-Committees - The Committee may form sub-committees as it may deem necessary to effectively carry out its duties and responsibilities.

SEC. 5. Technical and Secretariat Support. - The Department of National Defense shall provide technical, secretariat and administrative support to the Committee.

SEC. 6. Effectivity. - This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 4th day of September, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). [*Administrative Order Nos.: 201 - 39*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 216
CREATING A JOINT EXECUTIVE-LEGISLATIVE PREPARATORY COMMITTEE TO
FORMULATE A COMPREHENSIVE EMPLOYMENT STRATEGY PROGRAM (CESP)

WHEREAS, under Administrative Order No. 192, a Multi-Sectoral Agency Task Force was created on May 23, 1995 to formulate the Comprehensive Employment Strategy Program;

WHEREAS, in the discharge of its mandated duties and responsibilities, said Multi-Sectoral Agency Task Force has recommended the creation of a Joint Executive- Legislative Preparatory Committee that shall forge a genuine national consensus behind a Comprehensive Employment Strategy Program.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the forging of a national consensus on a Comprehensive Employment Strategy Program.

SECTION 1. *Creation of a Joint Executive-Legislative Preparatory Committee.* A Joint Executive-Legislative Preparatory Committee to forge a genuine national consensus on a Comprehensive Employment Strategy Program, is hereby created.

SEC. 2. *Composition.* The Joint Executive-Legislative Preparatory Committee, to be chaired by the Executive Secretary and Co-chaired by the Secretaries of the National Economic Development Authority and the Department of Labor and Employment, shall be composed of the following members:

- a. Secretary, Department of Trade and Industry
- b. Secretary, Department of Agriculture
- c. Secretary, Department of Education, Culture and Sports
- d. Secretary, Department of Budget and Management
- e. Director-General, Technical Education and Skills Development Authority
- f. Chairman, Commission on Higher Education
- g. Four (4) Senators, to be designated by the Senate President
- h. Four (4) Representatives, to be designated by the Speaker of the House of Representatives.

SEC. 3. *Duties and Responsibilities.* The Joint Executive-Legislative Preparatory Committee shall have the following duties and responsibilities:

- a. review the Comprehensive Employment Strategy Program (CESP) prepared by the Multi- Sectoral Task Force on the CESP with the end in view of formulating a common legislative agenda and administrative actions supportive of employment generation; and

- b. finalize preparation for a nationally-based Employment Summit to be held on September 22, 1995.

The Joint Preparatory Committee is encouraged to invite/solicit the active participation of the private sector.

SEC. 4. Secretariat Support. The Secretariats of the Legislative-Executive Development Advisory Council (LEDAC) and the Multi-Sectoral Agency Task Force on the CESP shall provide secretariat support to the Joint Preparatory Committee.

SEC. 5. Report. The initial report of the Joint Preparatory Committee shall be jointly submitted to the President, the Senate President and the Speaker of the House of Representatives on or before the 18th of September 1995.

SEC. 6. Funding. Funds necessary for the attainment of the objectives of this Order shall be set aside by the Department of Budget and Management from the contributions of member departments/agencies/branches, as may be agreed upon by the Joint Preparatory Committee.

SEC. 7. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this **6th** day of **September**, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) LEONARDO A. QUISUMBING
Senior Deputy Executive Secretary
Officer-In-Charge, OES

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 217
CREATING THE SOUTH-CENTRAL MINDANAO REHABILITATION
TASK FORCE (SOUTHCENMIN-RTF)

WHEREAS, the recent floods which affected the provinces of South Cotabato, Maguindanao, Sultan Kudarat, and North Cotabato resulted in the loss of lives, displacement of thousands of families and damage to properties, crops, and infrastructure facilities to millions of pesos in the areas concerned.

WHEREAS, the above-mentioned provinces have already been declared By the President as calamity areas;

WHEREAS, there is a need to coordinate relief and rehabilitation efforts between the local government units and the national line agencies concerned in these four provinces especially since these provinces are covered by two regions and ARMM;

WHEREAS, the creation of a special body would facilitate the coordination and implementation of plans, programs, and projects for area-wide infrastructure rehabilitation and livelihood restoration;

NOW THEREFORE I, FIDEL V. RAMOS, President of the Republic of the Philippines, by the power vested in me by law, do hereby order the creation of the **South-Central Mindanao Rehabilitation Task Force (SOUTHCENMIN-RTF)** covering the provinces of South Cotabato, Maguindanao, Sultan Kudarat, and Cotabato.

SECTION 1. Composition. - The Task Force shall be composed of a Policy Advisory Group, Technical Working Groups, four (4) Provincial Task Groups, and a Secretariat.

The Policy Advisory Group (PAG) is composed of the Presidential Assistant for Mindanao as Chairman, and Governors of Cotabato, Sultan Kudarat, South Cotabato, and Maguindanao and senior representatives of DPWH; DA; DENR; DSWD; DILG; RDCC XII; RDCC ARMM; 6th ID; PA; ARMM; OCD and Private Sector representatives as members.

The Presidential Assistant for Mindanao, in addition to his other duties, shall be the overall Chairman and head of the Task Force.

Permanent representatives of various agencies designated by their respective Department Secretaries or Chiefs of Offices shall have a position not lower than Director or its equivalent rank. The Chairman of the Task Force Shall appoint private sector representatives to the body.

There shall be Technical Working Groups (TWG) to be organized, but not limited to, as follows: Rescue and Relief, Livelihood, Agriculture, Infrastructure, Public Information, and Peace and Security.

There shall be four (4) Provincial Task Groups (PTG) to be organized with the Provincial Governors as Chairmen which shall coordinate and monitor the over-all implementation of projects in their respective provinces.

A Secretariat shall be organized to be headed by an Executive Director which shall provide the administrative and technical support. The Chairman of the Task Force shall appoint/designate the Executive Director.

SEC. 2. Powers and Functions. - The Task Force shall have the following powers and functions:

- a. Develop area-wide infrastructure rehabilitation programs and projects;
- b. Develop area-wide livelihood restoration programs and projects;
- c. Establish priorities based on the identified programs and projects;
- d. Access funds, services, and other resources from existing government programs and projects;
- e. Allocate resources and coordinate fund releases and other resources based on identified priorities;
- f. Coordinate and monitor the implementation of the projects;
- g. Evaluate the effectiveness of the implemented projects;
- h. Submit periodic progress reports to the President and NDCC and other reports as may be necessary;
- i. Call on any government agency or instrumentality for any support requirement; and
- j. Perform such other functions and responsibilities as the President may direct.

SEC. 3. Secretariat. - The Secretariat shall be under the direction of the Task Force Chairman/ Presidential Assistant for Mindanao. To augment this Secretariat, additional staff from other offices may be detailed or seconded to this task force, or full-time personnel may be contracted whenever necessary.

SEC. 4. Operating Guidelines. - The Policy Advisory Group shall develop and promulgate operating guidelines pertaining to the internal operations of the Task Force.

SEC. 5. Secretariat Budget. - The Secretariat shall have an initial administrative and technical budget in the amount of TWO MILLION PESOS (P2,000,000.00) to be sourced from the Calamity Fund subject to replenishment from any other available funds.

SEC. 6. Duration. - The Task Force will operate for a period of one (1) year and may continue to exist for a longer period as directed By the President.

SEC. 7. Effectivity. - This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 15th day of September, in the year of Our Lord, nineteen hundred and ninety-five.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 218
APPROVING THE SETTLEMENT PROCESS OF PHILIPPINE NATIONAL BANK CLAIMS
AS OF JUNE 30, 1995 PERTAINING TO THE LIABILITIES TRANSFERRED TO THE
NATIONAL GOVERNMENT

WHEREAS, under the terms of the Deed of Transfer dated February 27, 1987 (“Deed of Transfer”) executed by and between the Philippine National Bank (“PNB”) and the National Government, the former transferred to the latter certain non-performing assets and liabilities (the “Transferred Liabilities”) pursuant to the provisions of Proclamation No. 50 dated December 8, 1986;

WHEREAS, under the Servicing Agreement dated February 27, 1987 (the “Servicing Agreement”) executed by and between PNB and the National Government, the former agreed to service the Transferred Liabilities under the Deed of Transfer and the latter agreed to immediately reimburse the payments upon billing by PNB for the Transferred Liabilities;

WHEREAS, PNB made advances for principal and interest payments on the Transferred Liabilities and likewise incurred out-of-pocket expenses in the servicing of the same;

WHEREAS, Section 10 of the Servicing Agreement provides that the National Government and PNB shall formulate and adopt such policies and guidelines with respect to the procedures for the approval and funding/reimbursement of costs and expenses incurred by PNB in the servicing of the Transferred Liabilities;

WHEREAS, after exercise of due diligence including extensive meetings and discussions, review of documents, and consultations with appropriate government agencies and officials, the National Government, acting through the Department of Finance pursuant to the powers and functions granted under Executive Order No. 292 (the Administrative Code of 1987), represented by the Secretary of Finance, Roberto F. de Ocampo, and the PNB, represented by its President, Peter B. Favila and its Chairman, Daniel L. Lacson, Jr., reached certain agreements in the settlement process of the PNB claims arising from the Transferred Liabilities to National Government, which agreements are embodied in a Memorandum of Agreement dated August 14, 1995;

WHEREAS, the complete rehabilitation of PNB under Proclamation No. 50 and under Executive Order No. 80 (The Revised Charter of the PNB) is in keeping with the national interest and the representations made to PNB private shareholders and PNB bondholders.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, do hereby **APPROVE AND CONFIRM** the settlement process and agreements relative to the Transferred Liabilities as embodied in the Memorandum of Agreement signed by and between the National Government and the Philippine National Bank on August 14, 1995.

DONE in the City of Manila, this 26th day of September, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 219
DELINEATING THE FUNCTIONS, POWERS AND JURISDICTIONS OF THE PRESIDENTIAL
ANTI-CRIME COMMISSION, THE NATIONAL PEACE AND ORDER COUNCIL, THE
NATIONAL LAW ENFORCEMENT COORDINATING COMMITTEE AND THEIR
IMPLEMENTING AGENCIES

WHEREAS, pursuant to Executive Order No. 3 dated 7 July 1992, as amended by Executive Order No. 221 dated 23 January 1995, the Presidential Anti-Crime Commission (PACC) was established with the principal task of directing and coordinating the activities of various law enforcement agencies to effect a more vigorous campaign against criminality;

WHEREAS, pursuant to Executive Order No. 309, dated 11 March 1988, as amended, the National Peace and Order Council (NPOC) was reorganized to fully coordinate the government efforts and enlist the participation of the citizenry in effectively preventing and suppressing criminality;

WHEREAS, pursuant to Executive Order No. 829, dated 11 September 1982, as amended by Executive Order No. 41 dated 9 December 1992, the National Law Enforcement Coordinating Committee (NALECC) was created to serve as the venue for the coordination of all law enforcement activities of various government law enforcement agencies; and

WHEREAS, to prevent the overlapping of functions, streamline the operations, and identify the responsibilities of the various law enforcement agencies involved, it is necessary to clarify the authority and extent of powers and functions of the PACC, the NPOC and the NALECC, and likewise delineate the functions of their various implementing agencies;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Presidential Anti-Crime Commission (PACC).

'(a) Responsibility/role as a Collegial Body - The Presidential Anti-Crime Commission, as a collegial body, shall have the primary responsibility of providing policy guidelines, unified operational direction and general supervision of the government and community efforts in the campaign against the following crimes:

- i. those committed by organized/syndicated crime groups
- ii. those which are considered heinous
- iii. those committed by military and law enforcement personnel
- iv. other offenses which the President may refer to the Commission.

In this role, the PACC shall orchestrate, integrate and coordinate the operational activities of the various implementing agencies and non-government organizations involved in the common fight against the aforementioned crimes.

(b) Authority of the Chairman - The Chairman of the PACC shall be the Chief Executive Officer of the Commission. As such, he shall provide general supervision and policy direction over implementing agencies engaged in the anti-crime campaign. He shall likewise provide the leadership, the central direction and the harmony required for the unified government and community efforts against criminality within the PACC's cognizant jurisdiction. In the case of urgency, the PACC Chairman shall also be responsible for the allocation of tasks and delineation of responsibilities and functions of implementing agencies on specific criminal incidents.

Cases not covered by this order, or pertinent laws, rules and regulations, and the resolution of conflicts between implementing agencies shall be governed by policy memoranda to be issued by the Commission.

Sec. 2. The National Peace and Order Council (NPOC) - The Council shall be responsible in preparing and providing broad policies, strategies, thrust and measures that would effectively address peace and order problems, especially criminality and insurgency. It shall coordinate and monitor the implementation of the corresponding peace and order plans, projects and activities of the government agencies, local government units and non-government organizations to ensure public safety and proper enforcement of the laws, and effectively prevent and suppress criminality. It shall elicit the participation and support of the citizenry in the campaign against criminality and shall provide policy guidelines, unified operational direction and general supervision of government and community efforts against criminality in general.

Sec. 3. National Law Enforcement Coordinating Committee (NALECC)

(a) Responsibility/Role in the Anti-Crime System - The NALECC Chairman (Chief, Philippine National Police) shall enhance the coordination and cooperation of all implementing agencies at the operational level by intensive and vigorous interaction through the NALECC forum. The Chairman shall adopt measures to improve the NALECC Coordination Centers for better day-to-day operational coordination of the implementing agencies.

(b) Relationship with PACC and NPOC - The NALECC shall assist/support the PACC and NPOC in the formulation and operationalization of inter-agency operational guidelines, and in the efficient and effective implementation of their respective mandates and programs/plans/projects/activities.

Sec. 4. Concerned Government Agencies

(a) Delineation of Functions - To make law enforcement and anti-crime operations more effective and efficient, the functions and responsibilities of the following implementing agencies are hereby delineated, as follows:

1. Philippine National Police (PNP) - As a front-line and territorial police agency, it shall

- (a) Conduct general law enforcement;
- (b) Enforce all laws and ordinances relative to the protection of lives and properties;

(c) Maintain peace and order and take all necessary steps to ensure public safety; and

(d) Investigate and prevent crimes, effect the arrest of criminal offenders, bring offenders to justice and assist in their prosecution.

2. National Bureau of Investigation (NBI) - As an investigative agency, it shall have the following functions:

(a) pursuant to its charter, undertake investigations of crimes and other offenses against the laws of the Philippines, upon its own initiative and as public interest may require; including the investigation of:

- i. bank frauds and computer crimes;
- ii. crimes cognizable by the Office of the Ombudsman
- iii. crimes against public interests (Article 161 to 189, Title Four, Book Two of the Penal Code, as amended);

(b) Render assistance, whenever properly requested in the investigation or detection of crimes and other offenses;

(c) Act as a national clearing house of criminal and other informations for the benefit and use of all prosecuting and law enforcement entities of the Philippines, and identification records of all persons without criminal convictions;

(d) Give technical aid to all prosecuting and law enforcement officers and entities of the Government as well as the courts that request its services; and

(e) Extend its services, whenever properly requested, in the investigation of cases of administrative or civil nature in which the Government is interested;

Where the law vests the investigation of violations of specific laws in another agency, the NBI shall investigate such violations only upon request of such agency. Where the investigation of cases are already handled by other agencies, the Bureau shall exercise a supportive or coordinative role, unless otherwise directed By the President or the Secretary of Justice or when required by law to conduct an independent investigation. Further, it shall provide technical investigative support to other concerned or requesting agencies.

3. Bureau of Customs, Bureau of Internal Revenue, Economic Intelligence and Investigation Bureau, Bureau of Immigration and Deportation, Forest Management Bureau, Bureau of Fisheries and Aquatic Resources and Similar Agencies - As special law enforcement agencies, they shall primarily and exclusively enforce the special laws appertaining to their respective mandates/charters. The PNP, NBI and other agencies may take cognizance of said special laws only when called upon to render assistance on request or by deputation, or by direction of competent authority.

(b) Support Role of the Armed Forces of the Philippines (AFP) and Other Agencies

1. The AFP shall:

(a) Provide intelligence support to law enforcement agencies, through its Intelligence Service (ISAFP), in the drive against syndicated crimes and those committed by uniformed service personnel.

(b) Provide other forms of assistance that may be necessary and/or requested by law enforcement agencies.

2. All other agencies shall provide assistance that may be necessary and/or upon request by law enforcement units.

(c) Inter-Agency Operational Guidelines - To avoid conflict or deadlock, the implementing agencies shall observe the following operational guidelines:

1. Where two or more police/law enforcement agencies have concurrent jurisdiction on a crime incident, the first agency that takes cognizance of the case shall primarily handle the investigation thereof, with the other agencies merely coordinating and supporting, unless otherwise directed by the President or by the PACC.

2. Where an information concerning a violation of law is received by an agency which has no jurisdiction over the case, such agency should immediately refer such information to the concerned agency having jurisdiction over the same for its appropriate action.

3. The lead agency having jurisdiction over an investigation shall be the exclusive authority to release any public information on the status of investigation of the case, unless otherwise elevated to the level of PACC as part of integrated efforts against criminality.

4. Cooperation and coordination among and between police/law enforcement agencies are enjoined in all aspects of the law enforcement operations.

Sec. 5. Command Responsibility - The President of the Republic of the Philippines as the Chief Executive and as Commander-in-Chief of all Armed Forces shall have ultimate responsibility for the conduct of the anti-crime campaign by all government and non-government agencies. The Vice-President, in his capacity as Presidential Adviser on Crime Prevention and Law Enforcement shall be the principal assistant of the President in the exercise of this responsibility. The President may authorize the PACC Chairman to create special task forces under the operational control of the PACC to enable it to directly influence the anti-crime drive on critical problem areas. The heads of line departments, chiefs of offices and AFP/PNP commanders at all levels shall retain command responsibility over all their personnel, units and offices detached and placed under operational control of other commands, offices and agencies pursuant to directives from competent authority.

Sec. 6. Rescission - All provisions of previous Administrative and Memorandum Orders in conflict with this Administrative Order are hereby rescinded.

Sec. 7. Effectivity - This Administrative Order shall take effect immediately.

Done in the City of Manila, this 4th day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

BY THE PRESIDENT:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 220
CREATING A COORDINATING COMMITTEE FOR THE CONDUCT OF A PHILIPPINE
EXPOSITION IN PRINTEMPS, FRANCE IN 1996

WHEREAS, the Philippine Government, in its desire to sustain the positive image established during the Philippine Festival of Arts and Culture in France in 1994, has decided to hold a Philippine Solo Exposition in France in 1996;

WHEREAS, the Philippine and French Governments are committed to the promotion of mutual understanding through enhanced bilateral cultural, tourism and trade relations;

WHEREAS, the forthcoming exhibition provides a major opportunity for attracting prospective investors, businessmen and tourists from France and other European countries and shall further heighten world awareness of the history and culture of the Filipino people;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Coordinating Committee for the Printemps Philippine Exposition.* A Coordinating Committee (hereinafter referred to as the “Committee”) for the Printemps Philippine Exposition is hereby created under the Office of the President, to be composed as follows:

- | | |
|---|------------------------|
| a. First Lady Amelita Ramos | - Honorary Chairperson |
| b. Secretary of Trade and Industry | - Chairman |
| c. Secretary of Tourism | - Co Vice-Chairman |
| d. Secretary of Foreign Affairs | - Co Vice-Chairman |
| e. Executive Director, Center for International Trade Expositions and Missions (CITEM) | - Secretary-General |
| f. A representative each from the Office of the President, Departments of Finance, Budget and Management, and Bangko Sentral ng Pilipinas | - Members |
| g. President of the Cultural Central of the Philippines | - Member |
| h. Director of National Museum | - Member |
| i. Administrator of Intramuros Administration | - Member |

The Committee shall also include representatives from the private sector to be appointed by the President upon the recommendation of the Chairman.

SEC. 2. *Functions of the Committee.* The Committee shall exercise the following functions and responsibilities.

- a. Act as the coordinating body between the private sector and various government agencies to ensure that all the requirements for the Exposition are attended to and implemented.
- b. Ensure that the economic advantages of the Exposition area are maximized through a concerted and cost-effective country team approach.
- c. Select the theme and theme message of the Exposition as may be acceptable to both the Philippine and French Governments.
- d. Ensure the safety and protection of government and personal properties, exhibit materials and special effects needed to complete the cultural Exposition.
- e. Call on any department, bureau or office of the Government, including government-owned and controlled corporations, to render such assistance as it may need in the discharge of its functions.
- f. Seek the assistance of and coordinate with private entities, associations, foundations, cooperatives, and other non-government organizations, including private museums, in mounting the Exhibition and meeting the requirements for the exposition.

SEC. 3. *Secretariat.* The Committee, through the Chairman, shall establish a Secretariat to service its technical and administrative requirements which shall be composed of personnel detailed to the Committee from member agencies with the Committee Chairman determining the number desired and duration of their assignment. The Secretariat shall be located at the premises of the Center for International Trade Expositions and Missions (CITEM).

SEC. 4. *Funding.* An amount of **TWO MILLION (₱2,000,000.00) PESOS** which shall serve as the initial Philippine Government contribution to the project, is hereby allocated from the President's Contingent Fund. The government agencies or instrumentalities represented in the Committee are hereby authorized to draw from their respective budget, additional funds needed to finance the project.

SEC. 5. *Term of the Committee.* The Committee shall cease to exist upon termination of the project in April 1996.

SEC. 6. *Effectivity.* This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 3rd day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1995). [Administrative Order Nos.: 201 - 300]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 221

**CREATING THE PHILIPPINE POLICY AND LEGAL TASK FORCE ON THE ISSUE OF
THE LEGALITY OF THE THREAT OR USE OF NUCLEAR WEAPONS BEFORE THE
INTERNATIONAL COURT OF JUSTICE**

WHEREAS, the Philippine Constitution enshrines the policy of freedom from nuclear weapons in its territory;

WHEREAS, the Philippines believes that the elimination of weapons of mass destruction will be of immense value towards the achievement of true, meaningful, just and lasting global peace and security; and

WHEREAS, the Philippines has been an active participant in international efforts at addressing the issue of disarmament, particularly concerning weapons of mass destruction;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. **Creation of a Policy and Legal Task Force.** - The Philippine Policy and Legal Task Force on the Issue of the Legality of the Threat or Use of Nuclear Weapons before the International Court of Justice is hereby created, to be known as the ICJ Task Force or ITF.

Section 2. **Composition.** - The ITF shall be composed of the following:

- | | | |
|---|---|-------------|
| a. The Secretary of Foreign Affairs | - | Chairman |
| b. The Secretary of Justice | - | Co-Chairman |
| c. Representative from the University of the Philippines Law Center | - | Member |
| d. Representative from the Integrated Bar of the Philippines | - | Member |
| e. Representative from the Philippine Society of International Law | - | Member |

Section 3. **Duties and Responsibilities.** - The ITF shall have the following duties and responsibilities:

- a. To take primary responsibility in connection with Philippine participation in the hearings before the International Court of Justice on the request for advisory opinion on the legality of the threat or use of nuclear weapons;
- b. To identify and formulate Philippine interests on the issue;
- c. To study, research, prepare and draft all briefs and pleadings based on the appropriate norms of international law;
- d. To assist in preparing for the presentation of oral arguments before the International Court of Justice;

- e. To coordinate and consult with appropriate sectors of Philippine society on this issue, particularly non-governmental organizations; and
- f. To recommend to the President the Philippine representative who will present arguments before the International Court of Justice.

Section 4. **Secretariat.** - The ITF Secretariat is hereby established in the Department of Foreign Affairs to be headed by the Undersecretary for Policy.

Section 5. **Funding.** - The initial funding of Two Million Pesos (P2,000,000.00) shall be taken from the President's Contingent Fund. The Department of Budget and Management is directed to coordinate and assist the ITF in identifying and determining other appropriate sources and amounts of the funds to cover deficiencies in the ITF's requirements. Thereafter, and if necessary, funding requirements of the ITF shall be incorporated in the General Appropriations Act.

Section 6. **Report.** - The ITF shall submit a report on the progress of its work two weeks from the date of this Administrative Order.

Section 7. **Effectivity.** - This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 6th day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 222
STRENGTHENING THE OPERATIONS OF THE ANTI-ILLEGAL GAMBLING UNIT OF THE
GAMES AND AMUSEMENT BOARD

WHEREAS, the government is losing considerable revenues in view of the proliferation of illegal bookie joints;

WHEREAS, these revenues could be substantially utilized to benefit various charitable institutions, civic projects and other development-oriented programs;

WHEREAS, the creation of the Anti-Illegal Gambling Unit (AIGU) of the Games and Amusement Board (GAB) by virtue of AO No. 262, series of 1992, inadequately addresses the rapid proliferation of illegal gambling operations;

WHEREAS, there is a need to strengthen the GAB-Anti Illegal Gambling Unit to make it a more effective Task Force designed to combat and prevent the existence and widespread growth of all forms of illegal gambling in professional sports and amusement games;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order that:

SECTION 1. The Anti-Illegal Gambling Unit (AIGU) of the Games and Amusement Board created under AO No. 262, series of 1992, which is tasked to combat and prevent the existence and proliferation of illegal bookie joints and other illegal forms of organized gambling in professional sports and amusement games, is hereby reconstituted to be composed of the following:

- a. Organic personnel to be appointed by the Chairman of GAB;
- b. Detailed personnel to be drawn from the following:
 - b.1 Philippine National Police
 - b.2 National Bureau of Investigation
 - b.3 Philippine Racing Commission
 - b.4 Philippine Charity Sweepstakes Office
 - b.5 Other agencies involved in gaming operations
 - b.6 Other law enforcement agencies of the government.

SEC. 2. In addition to its existing powers and functions, the GAB Anti-Illegal gambling Unit shall monitor the status of arrests made to ensure that the suspects are criminally prosecuted. The Chairman of GAB shall submit a quarterly report on the operations of the GAB-AIGU to the Executive Secretary.

SEC. 3. This Order shall take effect immediately.

DONE in the City of Manila, this 9th day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 223
CREATING A NATIONAL ORGANIZING COMMITTEE AND A NATIONAL SECRETARIAT
FOR THE SECOND INTERNATIONAL FORUM ON THE CULTURE OF PEACE

WHEREAS, the Philippines is pursuing a multi-track peace process towards the achievement of a just and lasting peace;

WHEREAS, the Philippine peace effort, as presented at the First International Forum on the Culture of Peace co-hosted by the Government of El Salvador and UNESCO, has been endorsed by UNESCO as providing valuable lessons for countries that wish to pursue peace-building efforts;

WHEREAS, the Philippines, in its desire to share its experiences and at the same time learn from countries that may be similarly situated, offered to host the Second International Forum on the Culture of Peace in cooperation with UNESCO;

WHEREAS, UNESCO has accepted the Philippine offer and has provided funds for the conduct of the said International Forum;

WHEREAS, the Second International Forum on the Culture and Peace is scheduled for 26-30 November 1995 at the Philippine International Convention Center;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Creation of the National Organizing Committee. The National Organizing Committee for the Second International Forum on the Culture of Peace, hereinafter referred to as the Committee, is hereby created to prepare for and organize the International Forum.

- a. **Composition.** The Committee shall be Chaired by the Office of the Presidential Adviser on the Peace Process (OPAPP) to be co-chaired by the Department of Foreign Affairs and the Department of Education, Culture and Sports. The Committee shall have the following members:

1. National Economic and Development Authority
2. Department of Tourism - Philippine Convention and Visitors Corporation
3. Department of Interior and Local Government - Philippine National Police
4. Department of Budget and Management
5. Commission on Higher Education
6. Office of the Press Secretary
7. UNESCO National Commission
8. National Commission on Culture and Arts
9. Three (3) representatives from the Non-Government sector to be named by the Committee Chairman

The Office of the Executive Secretary shall be represented in all meetings of the

Committee.

b. **Function.** The National Organizing Committee shall have the following functions, responsibilities and authorities:

1. Oversee and ensure the successful conduct of the International Forum;
2. Ensure smooth coordination with UNESCO in the preparation and conduct of the International Forum;
3. Create necessary Subcommittees or Technical Committees to assist in its tasks;
4. Identify and mobilize resources in support of the conduct of the International Forum;
5. Call on all departments and agencies of government, including government owned and controlled corporations, to provide support and actively assist in the conduct of the International Forum; and
6. Ensure submission to the President, within 30 days from the holding of the International Forum, of a Report on Forum results, recommendations and inputs into the national peace process.

SEC. 2. Creation of the National Secretariat. To provide staff support for the National Organizing Committee and the International Forum, an inter-agency National Secretariat is hereby created to be based at the Office of the Presidential Adviser on the Peace Process (OPAPP). The National Secretariat shall be headed by the OPAPP Executive Director.

Member agencies of the National Organizing Committee shall detail personnel to the National Secretariat. The Chairman is hereby authorized to contract, on a short-term project basis, additional personnel for the National Secretariat or call on other agencies for detail of personnel, as may be necessary to ensure complete, efficient and effective staff support for the International Forum.

All detailed personnel shall be entitled to remuneration in accordance with existing rules and regulations.

SEC. 3. Funding. The GRP counterpart of funding requirements for the International Forum, at such amounts as may be necessary and to be determined by the Committee, shall be charged against the National Unification Fund.

SEC. 4. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 13th day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 224
AMENDING ADMINISTRATIVE ORDER NO. 176, “CREATING
THE PRESIDENTIAL TASK FORCE BOULEVARD 2000”

WHEREAS, Administrative Order No. 176 was issued on 14 February 1995 for the creation of Presidential Task Force Boulevard 2000 to prepare, integrate and coordinate all development plans, programs and projects in the Boulevard Reclamation Area;

WHEREAS, the Boulevard 2000 Framework Plan prepared by the Task Force has been approved on 02 November 1995;

WHEREAS, the Task Force has been tasked to integrate in the Framework Plan for Boulevard 2000 projects that will be implemented outside the Boulevard 2000 area, affecting the development in said area and all other concerns which have yet to be specifically addressed by the Plan;

WHEREAS, there is need for closer consultation and coordination with concerned local government units in addressing the problem of relocating displaced families as a result of the implementation of development plans, programs, projects in the Boulevard 2000 area;

WHEREAS, the Philippines will be engaged in several milestone activities such as hosting of the 1996 Asia Pacific Economic Cooperation (APEC) and the Centennial Celebration of the Philippine Independence which are expected to attract foreign visitor;

WHEREAS, there is need to fastrack programs and projects in the area in time for milestone activities to ensure greater impact to foreign visitors;

WHEREAS, the Boulevard 2000 could influence the regional development of the National Capital Region through the introduction of a growth nucleus that will continuously stimulate the activities towards the attainment of a self-sufficient metropolitan community;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order;

Section 1. Section 2 of Administrative Order No. 176 is hereby amended to read as follows:

“Section 2. **Composition.** The Presidential Task Force Boulevard 2000 will be chaired by the Secretary of the Department of Public Works and Highways (DPWH), co-chaired by the Secretary of the Department Environment and Natural Resources (DENR), with the General Manager of the Public Estates Authority (PEA) as Vice-Chairman, and composed of the following as members:

National Economic Development Authority
National Centennial Commission
Department of Finance
Department of Tourism
Department of Interior and Local Government
Department of Transportation and Communication
Department of Trade and Industry
Presidential Management Staff
Flagship Programs and Projects Committee

Housing and Urban Development Coordinating Council
Bases Conversion Development Authority
Philippine National Bank
Government Service Insurance System
Social Security System
Cabinet Officer for Regional Development for the National Capital Region
Cultural Center of the Philippines
National Parks and Development Committee
Philippine Gaming and Amusement Corporation
Office of the Government Corporate Counsel
Chairman, Metropolitan Manila Development Authority
Governor of Cavite
Mayors of Manila, Pasay City, Parañaque, Las Piñas and the municipalities of
Bacoor, Kawit and Noveleta in Cavite
Metropolitan Manila Waterworks and Sewerage System
Five (5) Private Sector Representatives to be recommended by the Task Force
Chairman and appointed By the President

Section 2. The life of the Presidential Task Force Boulevard 2000 shall be extended from 14 November 1995 to 14 January 1996.

Section 3. The Public Estate Authority will immediately implement plans, programs and projects in the Boulevard Reclamation Area, in accordance with the Boulevard 2000 Framework Plan;

Section 4. Further, the Public Estates Authority in coordination with the Metropolitan Manila Development Authority and Housing and Urban Development Coordinating Council, will spearhead the implementation of Phase II on the Urban Renewal Program of said Framework Plan for areas adjacent to the Boulevard 2000 area.

Section 5. This Administrative Order will take effect immediately.

Done in the City of Manila, this 14th day of November, in the year of our Lord, Nineteen hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 225
CREATING AN ORGANIZING COMMITTEE FOR THE NINTH MEETING OF THE ASEAN
EXPERTS GROUP ON DISASTER MANAGEMENT

WHEREAS, the ASEAN Experts Group on Disaster Management (AEGDM) meets every two (2) years;

WHEREAS, the last two Meetings of the AEGDM were hosted by Indonesia in 1991 and by Malaysia in 1993;

WHEREAS, it is the Philippines' turn to host the Ninth Meeting of the AEGDM from December 4 to 7, 1995, following the principle of rotation on hosting among ASEAN member nations;

WHEREAS, there is a need to create an Organizing Committee to formalize the inter-agency tasks currently being undertaken by concerned member-agencies of the National Disaster Coordinating Council (NDCC) relative to the hosting of the Ninth Meeting;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the creation of an Organizing Committee for the Ninth Meeting of the ASEAN Experts Group of Disaster Management from December 4 to 7, 1995, as follows:

SECTION 1. *Composition.* - The Organizing Committee shall be composed of the following:

Secretary, Department of National Defense	- Chairman
Secretary, Department of Foreign Affairs	- Vice-Chairman
Secretary, Department of Health	- Member
Secretary, Department of Interior and Local Government	- Member
Secretary, Department of Public Works and Highways	- Member
Secretary, Department of Social Welfare and Development	- Member
Secretary, Department of Transportation and Communications	- Member
Chairman, Mt. Pinatubo Commission	- Member

SEC. 2. *Functions.* - The Organizing Committee shall:

- a. Conduct meetings and lay the groundwork in preparation for the Ninth Meeting of the AEGDM;
- b. Coordinate the implementation of the program of activities for the affair;
- c. Report to the President, through the NDCC Chairman, on the status of the implementation of the program for the Ninth Meeting of the AEGDM; and
- d. Perform such other functions and tasks as the President may direct.

SEC. 3. *Secretariat Services.* - Secretariat services relative to the hosting of the Ninth Meeting of the AEGDM shall be provided by the Department of Foreign Affairs (DFA) to be supported by selected members of the NDCC Technical Committee.

SEC. 4. *Funding.* - Expenses for the hosting of the Ninth Meeting of the AEGDM shall be charged against the available funds of the Department of National Defense and subject to the applicable accounting and auditing rules.

SEC. 5. *Effectivity.* - This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 16th day of November, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). [*Administrative Order Nos.: 201 - 300*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 226
CREATING A PRESIDENTIAL TASK FORCE FOR AN INTEGRATED REHABILITATION AND
RESTORATION PROGRAM IN SOUTHERN LUZON AND CENTRAL
PHILIPPINES (SOLCENTAF)

WHEREAS, typhoon “Rosing” and three other destructive typhoons have affected Southern Luzon and other parts of the country, resulting in the great loss of lives and injuries, the displacement of thousands of families, and extensive damage to properties, crops and infrastructure in these areas;

WHEREAS, the affected provinces and cities have already been declared as calamity areas;

WHEREAS, there is a need to coordinate the rehabilitation and restoration efforts among the concerned local government units and national agencies; and

WHEREAS, the creation of a special body would facilitate the coordination and implementation of plans, programs and projects for area-wide rehabilitation and restoration;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Creation of a Presidential Rehabilitation Task Force. There is hereby created a Presidential Task Force which is designated as the Southern Luzon - Central Philippines Rehabilitation Task Force (hereinafter referred to as SOLCENTAF) to undertake integrated rehabilitation efforts and restoration activities in the typhoon-damaged provinces and cities.

SEC. 2. Composition. The SOLCENTAF shall be chaired by the Secretary of Agrarian Reform and shall be composed of:

- a. Chairmen of the Regional Development Councils and CORDs of Regions IV, V, VI and VII;
- b. Governors and City Mayors of affected areas to include the Visayas;
- c. Chairman of the Housing and Urban Development Coordinating Council;
- d. Department of Agriculture;
- e. Department of Social Welfare and Development;
- f. Department of Public Works and Highways;
- g. Department of Environment and Natural Resources;
- h. Department of Budget and Management;
- i. Department of Transportation and Communications;
- j. Department of Energy;
- k. Department of Education, Culture and Sports;
- l. Department of Trade and Industry;
- m. Department of Labor and Employment;
- n. Department of National Defense; and
- o. Department of the Interior and the Local Government.

- p. Private Sector representatives designated by the Chairman

The above line departments shall be represented by no less than an Assistant Secretary.

Concerned agencies and organizations, as may be determined by the Chairman of SOLCENTAF, may be designated as Ex-Officio members.

SEC. 3. Powers and Functions. The Task Force shall have the following powers and functions:

- a. Develop area-wide rehabilitation and restoration programs and projects;
- b. Undertake broad-based consultations with concerned agencies and People's Organizations (POs)/NGOs to insure that their needs, concerns and ideas are considered in the formation of rehabilitation and restoration programs and the corresponding projects to be undertaken;
- c. Establish priorities based on the identified programs and projects;
- d. Access funds, services and other resources from existing government programs and projects, where feasible;
- e. Allocate resources and coordinate fund release and other resources based on Task Force identified priorities;
- f. Coordinate and monitor the implementation of the projects;
- g. Evaluate the effectiveness of the implemented projects;
- h. Submit progress and other necessary reports to the President, copy furnished the Executive Secretary and the NDCC Chairman;
- i. Call on any government agency or instrumentality for any support requirement; and
- j. Perform such other functions and responsibilities as the President may direct.

SEC. 4. Executive Director. The Task Force Executive Director shall be designated by the SOLCENTAF Chairman. He shall concurrently head the Secretariat which shall provide the administrative technical and special staff support to the Task Force. He shall have the following additional tasks/functions:

- a. Manage the planning, coordination and implementation of Task Force operations;
- b. Supervise the day-to-day implementation of Task Force plans, programs and projects; and,
- c. Prepare progress reports to the President, through the Task Force Chairman.

The Task Force Executive Director shall be assisted by the Chairmen of the Regional Disaster Coordinating Councils of Regions IV, V, VI and VII who shall act as Assistant Executive Directors.

SEC. 5. Staff Support. The Department of Agrarian Reform shall provide the administrative, technical and special staff support to the Task Force. Additional personnel may be detailed from other agencies/offices. Full-time personnel to include appropriate consultants may be hired/contracted as needed by the Task Force.

SEC. 6. Rehabilitation Task Groups. There shall be five (5) Rehabilitation Task Groups, namely: Agriculture Task Group, Infrastructure Task Group, Housing Task Group, School Building Task Group and Livelihood Task Group which will implement the rehabilitation and restoration projects of their respective areas of concern. They shall have as members, representatives of concerned departments/agencies of the national and local governments, as indicated in the Task Force organization chart attached hereto. The Head of each Task Group shall be designated by the Chairman of the Task Force.

SEC. 7. Role of Municipal Mayors. The Municipal Mayors shall act as advisers to their respective Governors and render assistance to the Rehabilitation Task Groups concerned in the implementation of Task Force projects in their respective cities/municipalities. They shall also monitor and submit independent reports and recommendations direct to the Heads of Task Groups concerned on Task Force programs and projects in their respective cities/municipalities.

SEC. 8. Implementation of Task Force Projects. Projects under the Task Force shall be implemented by concerned national agencies and/or local government units depending upon the nature, size and location of the project. As a matter of policy, the participation of local government units and other organizations, such as the Parents-Teachers associations, local school boards and cooperatives, shall be tapped to assist or participate in the implementation of Task Force projects where such participation is feasible.

SEC. 9. Relationship with the Office of the President and the National Disaster Coordinating Council. The Task Force shall operate directly under the Office of the President. The National Disaster Coordinating Council shall assist and support the Task Force in the accomplishment of its mission.

SEC. 10. Funding. The administration and operation of the Task Force shall initially be funded from the Office of the President and other available sources, including from the departments and corporate agencies, in the amount of THREE HUNDRED FIFTY MILLION PESOS. The amount of FIVE MILLION PESOS from these funds is hereby authorized for initial administrative and operational expenses of the Task Force.

SEC. 11. Effectivity. This Administrative Order shall take effect immediately.

DONE, in the City of Manila, this 20th day of November, in the year of our Lord, Nineteen Hundred and Ninety Five.

(Sgd.) FIDEL V. RAMOS

BY THE PRESIDENT:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Reference: Presidential Rehabilitation Task Force for Southern Luzon and Central Philippines (SOLCENTAF) Organization Chart

Source: Malacañang Records Office

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 227
CONSTITUTING A NATIONAL COMMITTEE FOR THE COMMEMORATION OF THE
TENTH ANNIVERSARY OF THE FEBRUARY 22 TO 25, 1986 EDSA REVOLUTION

WHEREAS, the February 22 to 25, 1986 EDSA Revolution restored democratic institutions, ushered meaningful political, social and economic reforms in the country and is acclaimed to be the crowning glory and legacy to the world of the Filipino;

WHEREAS, the triumph of this Revolution was anchored upon people power, the ultimate demonstration of the citizens' solidarity in seeking to transform Philippine society and chart a new course for the country's history by linking arms and courageously asserting their democratic rights;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby constitute a National Committee for the Commemoration of the Tenth Anniversary of the February 22 to 25, 1986 Revolution.

SECTION 1. Composition. - The Committee shall be composed of Mr. Jose Concepcion, Jr., as Chairman, Interior and Local Government Secretary Rafael Alunan III as Co-Chairman and the following as members:

Representatives of the NGOs/Business Community:

1. Ms. Victoria Garchitorena
2. Mr. Jose Alejandro
3. Mr. Octavio Espiritu
4. Mr. Manolo Lopez
5. Mr. Christopher Carreon
6. Ms. Denise Manosa
7. Mr. Jose Escaner
8. Mr. Lito Lorenzana
9. Monsignor Socrates Villegas
10. Mr. Vicente Jayme
11. Mr. Felipe F. Cruz, Jr.
12. Mr. David Consunji
13. Mr. Alberto Manlapid
14. Mr. Perfecto F. Quicho
15. Ms. Tina Monzon-Palma
16. Mr. Norberto Gonzales
17. Ms. Maria Montelibano
18. Ms. Patricia C. Sison

Representatives from the Government Sector:

19. Secretary Domingo Siazon, Department of Foreign Affairs;
20. Secretary Gregorio Vigilar, Department of Public Works and Highways;
21. Secretary Renato de Villa, Department of National Defense;
22. Secretary Salvador Enriquez, Department of Budget and Management;
23. Director-General Marietta Primicias-Goco, Kabisig People's Movement;
24. Chairman Prospero Oreta, Metropolitan Manila Development Authority;
25. Mayor Ismael Mathay, Jr.;
26. Administrator Jose Rufino, Livelihood Corporation;
27. Undersecretary Honesto Isleta, Philippine Information Agency;
28. Chairman Alfredo Antonio, Development Bank of the Philippines;
29. Vice-Chairman Rogelio Singson, Bases Conversion Development Authority; and
30. Director Serafin Quiazon, National Historical Institute.

Mr. Jose de Jesus and Social Security System Administrator Renato Valencia, former Chairpersons of the National Committee for the commemoration of the 9th Anniversary of the EDSA Revolution, shall serve as Advisers to the Committee.

SEC. 2. *Functions.* - The Committee shall have the following functions:

1. Formulate a comprehensive plan for the nationwide commemoration of the 10th Anniversary of the February 22 to 25, 1986 EDSA Revolution, and coordinate with all sectors concerned the implementation of the same, taking into consideration austerity measures and the spirit of volunteerism;
2. Create such working committees and designate the respective members thereof from both the private and government sectors as may be necessary to ensure the success of the celebration; and
3. Invite or enjoin and mobilize all sectors who would like to participate in the celebration and call upon any government instrumentality to render the necessary assistance therefor.

SEC. 3. *Staff Support.* - The KABISIG People's Movement National Operations Center (KPM-NOP) shall provide the technical and secretariat support to the Committee. The Heads of Departments, agencies, government-owned and controlled corporations and other government instrumentalities are directed to give full support to the Committee and its various working Committees and to actively participate in said celebrations.

SEC. 4. *Funding.* - The Secretary of Budget and Management is hereby directed to allocate the amount of **THREE MILLION PESOS (₱3,000,000.00)** to support this activity. Concerned agencies may allocate such amounts as may be necessary to defray the expenditures that may be incurred from participation in the EDSA anniversary, subject to the usual accounting and auditing regulations.

This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 23rd day of November, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 228

IMPOSING THE PENALTY OF DISMISSAL FROM THE SERVICE WITH FORFEITURE OF ALL BENEFITS UNDER THE LAW OF ASSOCIATE COMMISSIONER MARIANO A. MENDIETA OF THE PROFESSIONAL REGULATION COMMISSION

This involves two (2) administrative cases filed against Associate Commissioner Mariano A. Mendieta of the Professional Regulation Commission for violation of Section 3 (a) and (e) of the Anti-Graft and Corrupt Practices Act (Republic Act No. 3019).

The first case involves a complaint filed by Julio B. Francia, former Chairman of the Professional Regulation Commission against respondent Mendieta for his actuations relative to the application for a permit to operate a school of Physical Therapy by the Fatima College of Medicine. It appears that sometime in 1990, Fatima applied with the Department of Education, Culture and Sports (DECS) for a permit to offer Physical Therapy as a school course. Pursuant to Section 5 (c) of Republic Act 5680 which states: “No school, college or university shall be authorized to offer courses in physical therapy or occupational therapy without the favorable written recommendation of the Board”, DECS requested the Board of Physical and Occupational Therapy (BPOT) to make its recommendation on whether or not to grant Fatima’s application.

After twice inspecting and evaluating the facilities and proposed program of the Bachelor of Science in Physical Therapy course of Fatima, BPOT found that the school still lacked the necessary preparation and organization to operate a school of Physical Therapy and thus, did not recommend the granting of temporary permit for School Year 1990-1991.

Despite the BPOT’s recommendation, however, the DECS issued a temporary permit valid for the year 1990-1991 authorizing Fatima to conduct the 1st and 2nd years of the Physical Therapy course.

Thereafter, BPOT issued an unnumbered and undated Resolution, series of 1990, stating among others:

X X X X X

“WHEREAS, considering that the facilities and program of the BSPT are deficient and that the issuance of the temporary permit is in violation of Section 5, of Republic Act No. 5680, the Board recommends that the temporary permit No. 021 dated May 3, 1990 issued by DECS to the College of Physical Therapy, Fatima College, be cancelled for the protection of the students.

NOW, THEREFORE, after approval of this resolution and due to the foregoing violation and non-compliance of the pre-requisite requirement of the law, the Board requests the Commission to endorse the cancellation of the temporary permit No. 021 issued to the Physical Therapy Department of Fatima College.

Done in the City of Manila, this day of , 199 .

(signed)
ROBERTO D. LIM, M.D.
Chairman

(signed)
TERESITA S. CASTOR
Member

(signed)
AIDA AGNES Q. ESTRADA
Member

ATTESTED:

(signed)
SALUD M. SAHAGUN
Board Secretary

APPROVED:

JULIO B. FRANCIA, JR.
Commission Chairman

(signed) 9/3/90
HIPOLITA A. ORDINARIO
Commission Member

MARIANO A. MENDIETA
Commission Member

The aforequoted resolution was signed by Associate Commissioner Hipolita A. Ordinario on September 3, 1990 and thereafter endorsed to respondent Mendieta for his concurrence or dissent.

In the meantime, Dean Editha A. Tuason, M.D. of Fatima, wrote respondent Mendieta informing him, among others, that some deficiencies which were endorsed to her have “been dealt with and somehow corrected”. She ended the letter by saying that “we welcome any PRC representative that you may wish to send at their most convenient time.”

Instead of acting on the BPOT’s undated and unnumbered Resolution, respondent Mendieta issued a Memorandum to one of the lawyers in his staff, Atty. Eduardo Sanchez, ordering him to inspect and investigate the Physical Therapy Course of Fatima. After finding that Fatima religiously complied with the suggestions of the BPOT and has expressed its willingness to provide whatever additional facilities may be required by the Board, Atty. Sanchez recommended that the college be allowed to operate. On this basis, respondent Mendieta issued a Memorandum to BPOT, to wit:

“After a study of the recommendation of the Board and the Investigation Report of Atty. Sanchez, the undersigned is convinced that the Physical Therapy Department of the Fatima College has complied with the requirements of the Board.

x x x

IN VIEW OF THE FOREGOING, it is recommended that the matter be considered closed.”

In the present administrative complaint, complainant Julio B. Francia charges that:

“(1) Respondent Mendieta sat on the BPOT’s unnumbered and undated Resolution, series of 1990, which was signed by Assistant Commissioner Hipolita Ordinario, while Fatima, apparently forewarned of its contents tried to remedy or correct the situation, which eventually led to the Fatima Dean’s letter dated September 19, 1990 informing respondent that it had “somehow corrected” the deficiencies in its physical therapy course;

(2) Respondent Mendieta, acting on his own, ordered a lawyer of his staff Atty. Eduardo C. Sanchez (whose appointment was not yet approved by the Civil Service Commission) to conduct an inspection of the Fatima facilities; respondent Mendieta, acting on his own and without informing the other members of the PRC, issued a Memorandum to BPOT dated October 17, 1990, recommending that the matter be considered closed;

(3) Respondent Mendieta continued to suppress the unnumbered and undated but signed Resolution of BPOT by not forwarding the same to PRC Chairman (herein complainant) thereby allowing Fatima to operate a deficient Physical Therapy Department;

(4) Respondent Mendieta is guilty of gross misconduct for aborting and effectively voiding the BPOT’s unanimous Resolution requesting the DECS, through the PRC to cancel FATIMA’s permit and for providing Fatima, through the use of his office, the means to supplant the BPOT’s adverse findings;

(5) Respondent usurped the authority of the PRC by (a) keeping for himself FATIMA’s supposed official request for inspection; (b) unilaterally ordering the conduct of such an inspection; and (c) unilaterally making official recommendation to the BPOT on how it should treat its decision to ask the DECS for cancellation of Fatima’s temporary permit, thus violating Section 3 of P.D. 223 (PRC Charter); and

(6) These actuations of respondent are violative of RA 3019, Section 3 paragraphs (a) and (e), quoted hereunder:

“Section 3. Corrupt practices of public officers. - In addition to acts or omissions of public officers already penalized by existing law, the following shall constitute corrupt practices of any public officer and are hereby declared to be unlawful:

(a) Persuading, inducing or influencing another public officer to perform an act constituting a violation of rules and REGULATION duly promulgated by competent authority or an offense in connection with the official duties of the latter, or allowing himself to be persuaded, induced, or influenced to commit such violation or offense.

x x x

(e) Causing any undue injury to any party, including the Government, or giving any private party any unwarranted benefits, advantage or preference in the discharge of his official administrative or judicial functions through manifest partiality, evident bad faith or gross inexcusable negligence. This provision shall apply to officers and employees of offices or government corporations charged with the grant of licenses or permits or other concessions.”

To counter the charges against him, respondent Mendieta set up the following defenses:

-
- “(1) When the undated and unnumbered Resolution of BPOT was referred to him by then PRC Associate Commissioner Ordinario, it was a matter that falls within his assigned task in the PRC, that is, Standard and Inspection Division and the Legal Division. The working arrangement within the PRC is that the three (3) members have designated functions. Chairman Francia was to take charge of the Rating and Examinations Division; then Commissioner Ordinario was in-charge of Administrative and Financial Division; and himself, the Standard and Inspection Division and the Legal Division;
- (2) Pursuant to such working arrangement, the matter of the BPOT Resolution for the Cancellation of Temporary Permit No. 021 is within his jurisdiction, thus, he took the preliminary action and exercised general supervision thereof by assigning Atty. Sanchez to conduct the ocular inspection of the school;
- (3) Atty. Sanchez, contrary to complainant’s claim, was acting within the scope of his authority according to Section 8 of PD 807 (Civil Service Decree of the Philippines), an appointment shall take effect immediately when the appointee assumes his duties and shall remain effective until it is disapproved by the Chairman;
- (4) He could not have suppressed the BPOT Resolution because after the inspection report of Atty. Sanchez, he prepared a Memorandum for the PRC recommending the disapproval of the BPOT Resolution, attaching thereto Fatima’s request for inspection and the detailed report of Atty. Sanchez. Then Assistant Commissioner Ordinario forwarded the documents to then PRC Chairman Francia;
- (5) Fatima School of Physical Therapy continued to operate until the present time without BPOT or Chairman Francia making any protest;
- (6) It was then Chairman Francia who usurped the powers of PRC when he unilaterally appointed four (4) employees to different positions in the PRC and endorsed appointments to the Regulatory Boards;
- (7) He did not cause undue injury to any party or to the government. In fact, had he not conducted the investigation, the private parties would have suffered an irreparable injury since they were already enrolled; and
- (8) There was no partiality, bad faith or inexcusable negligence in conducting the ocular inspection as he was just being fair giving Fatima the chance to disprove or to show its sincerity by complying with the requirements on deficiencies;”

After due investigation, the Presidential Commission Against Graft and Corruption (PCAGC) in its Resolution dated June 7, 1995 made the following findings:

“It appears that the main defense of respondent Mendieta is that in accordance with the working arrangement within the PRC, the matter of the BPOT’s Resolution recommending the cancellation of the Fatima’s temporary permit is well within his assigned task, that is, the Standard and Inspection Division. Pursuant to such arrangement, he directed Atty. Eduardo Sanchez a member of his staff, to conduct the ocular inspection of Fatima, on the basis of which he issued a Memorandum to BPOT dated October 17, 1990 with the recommendation that the matter be considered closed. Furthermore, he alleges

that he could not have suppressed the aforesaid BPOT resolution because after the inspection report of Atty. Sanchez, he prepared a Memorandum for the PRC recommending the disapproval of the BPOT Resolution (recommending cancellation of permit) attaching thereto FATIMA's request for inspection and the detailed report of Atty. Sanchez. This Memorandum was allegedly given to Assistant Commissioner Ordinario who then forwarded the same to the PRC Chairman Julio Francia. Thus, respondent Mendieta claimed that he could not be held liable for the charges alleged by complainant Francia.

The working arrangement alluded to is not denied. Such working arrangement, however, should be taken in its proper context with Sec. 3 of the PRC Charter, (P.L.D. 223), which explicitly provides that the Commissioner who shall be the Chairman of the Commission, and the Associate Commissioners as members thereof shall, as a body, exercise administrative, executive and policy making functions for the whole agency. It is perceived by this Commission that the working arrangement, as in any other administrative agency, is only for expediency, i.e., to facilitate a more efficient and effective service to the public. It, however, should not be interpreted as an exclusive jurisdiction of a particular Commissioner who is no longer subject to concurrence with or dissent by the other members. When the law states "as a body", the same definitely pertains to the whole Commission. The alleged working arrangement was internal among the Commissioners, and could not in any way amend or modify the law.

The same law expressly provides that the Commission shall have the power to review, coordinate, integrate and approve the policies, resolutions, rules and regulations, orders or decisions promulgated by the various Boards with respect to the profession or occupation under their jurisdiction x x x x (Sec. 5, par. c, P.D. 223)

Respondent does not question the power of BPOT vested by R.A. 5680, Section 5 (e) thereof, to study the condition affecting physical therapy and occupational therapy, to study and examine facilities and provide the basic curricula of any school, college or university seeking permission to open or offering physical therapy and occupational therapy program or course, and to require the employment of qualified members of the faculty in such educational institution. He could not have undermined the directive under R.A. 5680 that no school, college or university shall be authorized to offer courses in physical therapy or occupational therapy without favorable written recommendation of the Board.

In the light of this legal background, the Commission finds respondent Mendieta liable for the charges filed by the complainant Francia.

Respondent, who has been the PRC Associate Commissioner since December 1989, is well aware of the above-stated legal provisions pertaining to the functions of the PRC vis-a-vis the Board of Physical Therapy relative to the request of the schools to operate a physical therapy course. He even admits in his Counter-Affidavit that "the BPOT's finding and Resolutions will have to pass the approval of the Commission" (par. 1, page 4, respondent's counter-affidavit, p. 78 records), such that he should have forwarded to PRC Chairman Francia the unnumbered and undated BPOT's Resolution recommending the cancellation of Fatima's temporary permit.

Evidence shows that the BPOT Resolution was forwarded to Assistant Commissioner Hipolita Ordinario who after signing the same then sent it to respondent on September 3, 1990 for his dissent or concurrence on the matter. Instead, however, of giving his opinion thereto, and giving it to PRC Chairman Julio Francia as mandated by P.D. 223 and R.A. 5680, he directed Atty. Eduardo Sanchez, one of his lawyers, to conduct the ocular re-inspection of Fatima School.

From the time respondent Mendieta received the BPOT Resolution from Associate Commissioner Hipolita Ordinario on September 3, 1990, it practically took him twenty three (23) days before issuing the memorandum (September 26, 1990) to Atty. Sanchez who conducted the ocular inspection and another five (5) days to write a Memorandum to BPOT (not to the PRC as he should have done) to consider the matter closed. In fact, in this period of the twenty three (23) days, he could have immediately signified his concurrence or dissent to the BPOT Resolution and forwarded the same to PRC Chairman Francia for the latter's action on the same. The Commission notes that the directive for ocular inspection (September 26, 1990) came after Dean Tuason's (of Fatima) letter of September 19, 1990 to respondent."

X X X

Assuming arguendo that indeed his act of unilaterally directing the ocular inspection is within his assigned task, the Commission finds no reason why immediately after the inspection, he again did not inform PRC of the result of said inspection, and of his action on the matter. On the other hand, he wrote BPOT to consider the matter closed. There can be no other interpretation but to consider the acts of respondent Mendieta as favoring Fatima in his own singular way on the basis of a decision rendered by him alone.

In further defending his action and to vindicate himself from such liability, respondent now relies on his alleged Memorandum to the PRC recommending the disapproval of the BPOT's unnumbered and undated Resolution allegedly forwarded to then Associate Commissioner Hipolita Ordinario and eventually to the PRC Chairman Julio Francia.

Evaluating the evidence and the records pertinent thereto, there is no showing that such Memorandum exists. Respondent presented as witness then Assistant Commissioner Hipolita Ordinario who testified the per her logbook the aforesaid Memorandum was released to PRC Chairman Julio Francia (Annex K-95, p. 335, Records). As further proof thereof, respondent insists that all the attachments to the alleged Memorandum are in the possession of complainant Francia appended to the instant complaint.

Evidence, however, does not support the claim of respondent Mendieta who under the rules of procedure must prove such allegation. The logbook of Commissioner Ordinario on page 95 thereof, refers to a "1st Endorsement with Inspection Report" and not to a Memorandum as claimed by respondent. Secondly, Associate Commissioner Hipolita Ordinario's supposed corroborative testimony contradicts her later opinion on the matter, more particularly when she issued a note to Chairman Francia in her own handwriting sometime in

December 1990 that respondent Mendieta should be required to comment on the letter-complaint of BPOT because personally she did not have any knowledge of the inspection conducted by Atty. Sanchez. In fact, she has already signed the recommendation of the BPOT for the cancellation of the temporary permit of Fatima. Said witness could not have written the December 1990 letter if indeed she has already received or signed the alleged Memorandum of respondent Mendieta in October 1990. On this aspect, evidence is insufficient to support respondent's claim that he issued such a Memorandum.

Respondent Mendieta's act in unilaterally ordering Atty. Sanchez to conduct an ocular inspection constitutes a violation of P.D. 223 and R.A. 5680. It clearly appears from the circumstances in the instant case that it was the letter of Fatima School dated September 19, 1990 which moved respondent Mendieta to issue the Memorandum for the conduct of the ocular inspection of the school in clear violation of the mandate of P.D. 223 and R.A. 5680. Section 5, par. (e) thereof which provided that the BPOT shall have the power to study and examine facilities of any school, college or university seeking permission to open or offering physical therapy or occupational therapy program.

In effect, respondent allowed himself to be influenced and persuaded to violate existing laws, i.e., P.D. 223 and R.A. 5680 by ordering Atty. Sanchez to conduct the ocular inspection. This is violative of Sec. 3, par. (a) of R.A. 3019 earlier quoted.

Respondent Mendieta is likewise liable under Section 3, par. (c) of R.A. 3019 for giving a private party (Fatima) an unwarranted benefit, advantage or preference while in the discharge of his official administrative function through manifest partiality, evident bad faith or gross inexcusable negligence. Thru respondent's questionable actuations above-described, Fatima School of Physical Therapy was able to continue to operate without the favorable written recommendation of the BPOT as required by the law.

On the argument that respondent, thru his actuations, did not give any party (FATIMA) any unwarranted benefit advantage or preference considering that with or without the BPOT's recommendation for the cancellation of the temporary permit, DECS still issued and renewed the permit, is devoid of merit. Parenthetically, DECS may be liable for issuing a permit to operate without the BPOT recommendation. But that would be another case, distinguishable legally and factually from the present case.

When respondent Mendieta issued his Memorandum dated October 17, 1990 recommending to BPOT that the matter be considered closed, he completely deprived the BPOT of any procedural recourse respecting its Resolution relative to the cancellation of the Fatima's Temporary Permit. The law is very clear on the relative function of the PRC and the BPOT, that is, PRC reviews, coordinates, integrates and approves the resolutions of the various Boards with respect to the profession or occupation under their jurisdiction (P.D. 223, Section 5, par. c). By not forwarding the Resolution to PRC Chairman Francia, the legal vinculum from the BPOT to the PRC was cut, and the PRC as a collegial body had nothing more to review, coordinate, integrate and approve as required by law. This is a consequence of respondent's illicit actuations.

What then is the unwarranted benefit extended to Fatima by the actuations of respondent Mendieta? Categorically, Fatima's temporary permit was continued by DECS presumably unaware of the lack of the requirement under R.A. 5680. Had respondent not acted in such manner the BPOT Resolution would have been indorsed to the DECS by the PRC, DECS would have been informed of the non-compliance with the requirement of R.A. 5680 which would have precipitated the investigation of the matter by DECS, and possibly, the cancellation of the temporary permit. Public interest would have been protected. As it is, Fatima continued to operate despite the lack of the favorable written recommendation of BPOT as required by law."

Anent the second administrative complaint filed against respondent Mendieta, this time by incumbent PRC Chairman Hermogenes Pobre, the facts of the case are as follows:

"On June 7, 1993, the Board of Medicine (or Board, for brevity) of the PRC issued a Resolution relative to the suspicious possible anomalies in the conduct of the Physician Licensure Examinations given by the Board in February 1993 wherein the names of the top ten (10) examinees all came from one (1) school, that is, Fatima School of Medicine. It resolved, among others, that the registration of all Fatima examinees be withheld and for PRC together with a neutral body, to initiate an investigation on the anomaly.

The said resolution was concurred in by respondent Mendieta with the following suggestions:

X X X X X

"So in line with the proposed investigation of the Physician's Licensure Examination, it is strongly suggested that the above-mentioned anomalies be investigated together with the case at bar.

X X X X X

It is also suggested that the undersigned Commissioner be allowed to sit in the panel assigned to investigate all these anomalies to assist them in matters peculiar only to the Commission."

Complainant alleges that respondent Mendieta on June 28, 1993 at 3:15 P.M. without stating the reason issued a Memorandum Order to the Chief of the Registration Division of the PRC directing him to give respondent a list of at least ten (10) examinees of the February 1993 Physician's Licensure Examinations, with the name of their schools, who have already taken their oath and were registered and given their licenses by the PRC. The following day, six (6) Fatima examinees filed a petition for certiorari with preliminary injunction to compel PRC to allow them to take the physician's oath. The case was docketed as Special Civil Action No. 93-66530 before the Regional Trial Court of Manila attaching thereto as Annex C the list of examinees provided by the PRC Chief of the Registration Division per Order of Mendieta. The actuation of respondent Mendieta in issuing the Memorandum to the Registration Division and securing the Certificate therefrom expedited the delivery to the examinees' counsel documentary evidence

against the PRC and the Board when the counsel of said examinees could have by himself obtained the certification. In exchange for the alleged implicit collaboration and understanding between Fatima examinees and respondent, the latter was not impleaded in the suits (civil and criminal) subsequently filed by the examinees against PRC and the Board (OMB-ADM-0-93-0434 and Special Civil Action No. 93-6653)) despite the concurrence of Mendieta to the Board's Resolution dated June 7, 1993."

For his part, respondent Mendieta countered, that,

- "(1) The certification issued by the PRC Chief of Registration Division is a public document access to which is guaranteed by the Constitution itself;
- (2) The certification was not used for an illegal purpose;
- (3) The complainant's allegation that his suggestion to further investigate the matter and he be allowed to sit in the investigation panel was intended to help Fatima School of Medicine is a malicious lie, for the NBI itself, in a related case, found nothing against him and instead recommended the prosecution of Mr. Pobre; and
- (4) The fact that the certification came into the possession of the Fatima examinees is not probative of an illicit collaboration between him and Fatima."

Evaluating the evidence presented, the PCAGC found respondent Mendieta liable for violation of Republic Act 6713, to wit:

"x x x it is not denied by respondent Mendieta that he ordered the preparation of the list of ten (10) successful examinees from the different schools by the PRC Registration Division which document was utilized the following day as an Annex to the petition filed by the Fatima examinees against PRC (without impleading respondent), and the Board of Examineers. Although, the said act by itself cannot be considered illegal, it, however, borders on impropriety on the conduct of a public official.

Strictly speaking, respondent Mendieta's defense is proper to the extent that the List or Certification is a public document access to which is available to any party including himself and the counsel of the examinees, thus, the latter could have by himself secured the Certification. Considering, however, the position of respondent in the PRC who has a moral sway over subordinate officials thereof, and the act of the examinees in attaching the same as an Annex to their petition for preliminary injunction against the PRC itself, it is apparent that respondent unduly cooperated with them in filing the case. This act of respondent vividly portrayed his role as dispenser and peddler of undue patronage, precisely prohibited by R.A. 6713. For this reason, this Commission holds the considered view that this misconduct is a continuation, if not a part and parcel of the manifest partiality earlier shown by respondent in favor of Fatima School."

In sum, the PCAGC found respondent liable for the charges in the first and second administrative complaints and thus recommended respondent Mendieta's dismissal from the service. In the words of the Commission:

"x x x respondent violated Sec. 3, pars. (a) and (e) of the Anti-Graft and Corrupt Practices Act (R.A. 3019) earlier quoted. He also violated Sec. 4, pars. (b) and (c) of the Code of Conduct and Ethical Standards for Public Officials (R.A. 6713), which provides as follows:

(b) Professionalism. - Public officials and employees shall perform and discharge their duties with the highest degree of excellence, professionalism, intelligence and skill. They shall enter public service with utmost devotion and dedication to duty. They shall endeavor to discourage wrong perceptions of their roles as dispensers or peddlers of undue patronage.

(c) Justness and Sincerity. - They shall at all times respect the rights of others, and shall refrain from doing acts contrary to law, good morals, good customs, public policy, public order, public safety and public interest. x x x

Sec. 11. par. (a) thereof further provides that:

"A violation thereof shall be punished with a fine not exceeding one (1) year, or removal depending on the gravity of the offense after due notice and hearing by the appropriate body or agency."

and the same Sec. 11. par (b) thereof provides:

"Any violation thereof proven in a proper administrative proceeding shall be sufficient cause for removal or dismissal of a public official or employee, even if no criminal prosecution is instituted against him."

As can be seen above, the proper penalty for herein respondent is removal from Office.

WHEREFORE, in view of the foregoing, the Commission hereby resolved and so recommends to the Office of the President, that respondent Mariano Mendieta, Associate Commissioner, Professional Regulations Commission, be **DISMISSED** from the service.

SO RESOLVED."

After evaluating the evidence on record, this Office concurs with the findings of the Commission and so adopts its recommendation for the dismissal of respondent Mendieta with the additional penalty of forfeiture of all benefits under the law.

WHEREFORE, as recommended By the Presidential Commission Against Graft and Corruption, respondent Associate Commissioner Mariano A. Mendieta of the Professional Regulation Commission is hereby **DISMISSED** from the service with forfeiture of all benefits under the law for violation of Section 3 (a) and (e) of Republic Act 3019 and Section 4 (b) and (c) of Republic Act 6713.

Let the Office of the Ombudsman be furnished a copy of this Administrative Order for the investigation of the criminal aspect of this case.

SO RESOLVED.

DONE in the City of Manila, this 29th day of November, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 229
CONSTITUTING A PHILIPPINE HOST COMMITTEE FOR THE 1996 ASIA-PACIFIC
INTERNATIONAL TRADE FAIR

WHEREAS, the Philippines is committed to the continued development and growth of international trade and cooperation in the Asia-Pacific region;

WHEREAS, in view of this commitment, the Philippines shall host and jointly organize, with the United Nations Economic and Social Commission for Asia and the Pacific, the Sixth Asia-Pacific International Trade Fair from 5-11 November 1996;

WHEREAS, the Fair provides an excellent opportunity to highlight the global competitiveness of the Philippine economy and further enhance the country's trade, investments and tourism prospects;

WHEREAS, there is a need to constitute a Philippine Host Committee to organize and supervise the activities related to the Fair.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Philippine Host Committee for ASPAT '96.* A Philippine Host Committee (hereinafter referred to as the "Committee") is hereby constituted to oversee and undertake the necessary preparations for the Sixth Asia-Pacific International Trade Fair.

SEC. 2. *Composition of the Committee.* The Committee shall be chaired by the Secretary of Trade and Industry with representatives from the following departments/agencies as members:

- a. Department of Foreign Affairs
- b. Department of Finance/Bureau of Customs
- c. Department of Transportation and Communications/Manila International Airport Authority
- d. Department of Public Works and Highways
- e. Department of Tourism/Duty-Free Philippines
- f. Department of Justice/Commission on Immigration and Deportation
- g. Metropolitan Manila Development Authority
- h. Bangko Sentral ng Pilipinas/Philippine International Convention Center
- i. Cultural Center of the Philippines
- j. Philippine Air Lines
- k. Philippine Economic Zone Authority
- l. Philippine Amusement and Gaming Corporation

The Committee shall also include representatives from the private sector to be appointed by the President upon the recommendation of the Chairman.

SEC. 3. *Functions of the Committee.* The Committee shall exercise the following functions and responsibilities:

- a. Act as the coordinating body between the private sector and various government agencies to ensure that all the requirements for the Fair are attended to and implemented.
- b. Ensure that the economic advantages of the Fair are maximized through a concerted and cost-effective country team approach.
- c. Negotiate and conclude contracts relative to the Fair, including services of consultants and hiring of contractual employees whose term of office is co-terminus with the project.
- d. Call on any department, bureau or office of the Government, including government-owned and controlled corporations, to render such assistance as it may need in the discharge of its functions.
- e. Seek the assistance of and coordinate with private entities, associations, foundations, cooperatives, and other non-government organizations, in mounting and meeting the requirements for the Fair.

SEC. 4. *Secretariat.* The Committee, through the Chairman, shall establish a Secretariat, to service its technical and administrative requirements. The Secretariat shall be composed of personnel detailed to the Committee from member agencies, with the Chairman determining the number desired and duration of their assignment.

SEC. 5. *Funding.* An amount of **TEN MILLION PESOS (P10,000,000.00)** is hereby allocated from the 1996 President's Contingent Fund. The government agencies or instrumentalities represented in the Committee are hereby authorized to draw from their respective budget, additional funds needed to finance the project.

The Committee may also solicit donations, grants, contributions, sponsorships and/or any form of assistance from private or government entities.

SEC. 6. *Term of the Committee.* The Committee shall cease to exist upon termination of the project in November 1996.

SEC. 7. *Effectivity.* This Administrative Order shall take effect immediately.

DONE, in the City of Manila, this 29th day of November, in the year of Our Lord, Nineteen Hundred and Ninety Five.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). [*Administrative Order Nos.: 201 - 300*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 230
IMPOSING THE PENALTY OF DISMISSAL FROM THE SERVICE WITH FORFEITURE
OF BENEFITS UNDER THE LAW OF EDDA VILLALUNA-HENSON, ADMINISTRATOR,
INTRAMUROS ADMINISTRATION

This is an administrative case filed by the Concerned Employees of Intramuros Administration against the Administrator of Intramuros (IA), Mrs. Edda V. Henson for the following acts:

- 1) Entering into negotiated contracts with Brand Asia worth ₱6.17 million for print collateral materials and ₱2 million for video documentary TV program of Intramuros Administration. The print collateral materials were allegedly not utilized but were lying idle at the IA storage room. In both contracts, respondent's daughter, who was then employed with Brand Asia, was involved;
- 2) Allowing Brand Asia to subcontract to Capitol Publishing House, Inc. the printing of the collateral materials;
- 3) Soliciting food or meals from contractors of IA for the yearly Christmas party of the office; and
- 4) Failure to Collect more than one million pesos as arrearages from Barbara's Restaurant, a caterer at the Plaza San Luis of Intramuros.

In its Resolution, the Presidential Commission Against Graft and Corruption (Commission) found respondent Henson guilty of the charges for violation of pars. (a) & (e) of Section 3 of RA 3019 by allowing herself to be persuaded, induced, or influenced to commit a violation of rules and regulations and by giving a private party unwarranted benefits, advantage or preference in the discharge of her official administrative function through manifest partiality.

After a careful perusal of the records of the case, the findings of the Commission are **AFFIRMED** in toto, the same having been supported by substantial evidence.

The findings with respect to the four (4) charges are, as follows:

(1) Alleged Award of Contracts to Brand Asia without Public Bidding.

Respondent admits having entered into negotiated contracts with Brand Asia, one for the video documentary worth ₱2,000,000 entered into in November, 1992 and the other one for print collaterals entered into in June, 1993 for ₱6,017,000 in violation of the COA rules and regulations. She argues, however, that the contracts fall within the exceptions provided under Section 1 of Executive Order No. 301 dated July 26, 1987, that the contracts/awards to Brand Asia underwent a rigid selection process; and that the acceptance of proposals from six (6) advertising agencies was with the knowledge and approval of the Department of Tourism (DOT).

This Office takes notice of the following findings of the Commission relative to this matter:

“It is of record that the Commission has required respondent to submit copies of the contracts negotiated with Brand Asia and related documents. This was not complied with despite two (2) directives from the Commission. While the Commission is aware that Executive Order No. 301 gives a Department Head the discretion to determine when a negotiated contract is most advantageous to the government, such discretion however, is either sound or subject to abuse. In the latter case, it can even be violative of certain laws or regulations. By her non-compliance with the directives of the Commission, respondent deprived the Commission of the opportunity to determine from the contract documents if her exercise of discretion was sound or not. Relying alone on her allegation in her counter-affidavit and on her oral testimony, the Commission finds that respondent failed to successfully traverse the charges, as shown by the following:

“First, beyond saying that there were six (6) agencies whose proposals were considered, respondent, even if required in the course of the proceedings, did not present evidence on the proposals of the other advertising agencies, including that of the awardee. Secondly, respondent failed to prove that any of the enumerated situations in Sec. 1 of Executive Order No. 301 abovequoted existed to justify and allow negotiated contract as an exception to public bidding. On this matter, respondent argues that the agency lacked the necessary expertise to appreciate the project if bidden, and further, that the negotiated contract was approved by the Department of Tourism. The Commission notes that aside from these reasons advanced by respondent, there is no direct evidence presented by her to support the claim that the negotiation was more advantageous than public bidding. Clearly, therefore, the defense of respondent lacks merit.

“In this connection, complainants likewise charge that it was the daughter of respondent who personally presented the proposal of Brand Asia to IA and subsequently resigned from said firm after the proposal was closed with IA; and that the Administrator (respondent Edda Henson) was the one who viewed the proposal of Brand Asia.

“During the hearing of the case on May 23, 1995, respondent admitted that her daughter, Maria Elvina Henson, worked as a trainee under probation with Brand Asia. She was then assigned at the Accounts Department headed by its Director Desiree Chua Co. Brand Asia’s proposal was presented by its Creative Director Corazon Sarmiento and said Accounts Director Desiree Chua Co. (par. 3.3, Affidavit of respondent, p. 42 records). It would thus appear that Maria Elvina Henson has a working relationship with Desiree Chua Co. Such fact is indicative of a tie-up where unwarranted benefit was given to a proponent by virtue of a mother-daughter relationship, albeit an indirect one. Answering the clarificatory questions propounded by the Commission during the hearing of the case, respondent admitted that it is possible that Brand Asia acquired information relative to the needs of IA for the production of the video documentary and printed collateral materials from her daughter who, as above stated was working at the time with Brand Asia. Even as a trainee under probation, she had access to material information from both IA and Brand Asia.”

2) Alleged Subcontracting of Collateral Materials.

Both IA and Brand Asia were aware that advertising agencies are not commercial printing houses and therefore not expected to print for themselves the related posters and collateral materials, such that, at the time of negotiation it would have been established that Brand Asia can supply only the concept and ideas in promoting Intramuros but not the required printing job. Thus, the printing of the materials should have been subjected to public bidding considering that the transaction involves disbursement of public funds and therefore, subject to the rules on bidding. As correctly pointed out by the Commission:

“The possibility of contracting with other printers or publishing houses at a lower price for the same quantity and quality of materials was foreclosed arbitrarily because of the subcontract scheme undertaken by Brand Asia. x x x The reason advanced by respondent that the unity of the concept and design must be ensured is not proof of advantage to government. The same cannot be used to obviate or circumvent the requirement of the law. What the law prohibits directly, it also prohibits indirectly.”

3) Food subsidy from Contractors for the Christmas Party.

The charge not having been established by evidence, the same was dismissed by the Commission.

4) Non-payment of Arrearages by Barbara’s Restaurant.

Despite the directives of the Commission for the submission of alleged settlement agreement between IA and Barbara’s Restaurant for the arrears amounting to ₱753,158.00, not ₱1 million as claimed by the complainant, respondent failed to submit the same. The Commission, however, observes that failure to collect is not necessarily a corrupt act.

In fine, the Commission’s findings are summarized as follows:

“It must be stressed that respondent, despite repeated directives, did not submit copies of the contracts and relevant documents which were the very subjects of the proceedings. She also refused to submit certain documents specified in the Orders of the Commission, e.g., the proposal of the six (6) agencies which were allegedly considered resulting in the final award to Brand Asia, and logbooks of the Property Custodian of IA. She likewise defied the orders of the Commission by her refusal to submit documents showing payments made to Brand Asia, and the alleged settlement agreement with Barbara’s Restaurant.

“It is basic that the non-production by respondent of documents in her custody, unless justified, gives to the presumption of suppression of evidence adverse to her (Sec. 3, Rule 130, Rules of Court). Respondent offered no justification for her non-compliance with the aforesaid orders of the Commission. The Commission therefore presumes that if produced, the documents would have been adverse to respondent. From what can be gleaned from the evidence adduced, the Commission finds that respondent violated the rules and regulations on public bidding, specifically Sec. 1 of Executive Order No. 301 aforequoted. It has been established that there was no public bidding on the award to Brand Asia as required by law. The evidence is clear that respondent allowed herself to be persuaded, induced or influenced to commit such violation. It is also clear that respondent gave Brand Asia unwarranted benefits, advantage or preference,

through manifest partiality, when it awarded the said two (2) contracts to said agency, to the prejudice of five (5) other proponents.”

IN VIEW OF THE FOREGOING, and as recommended By the Presidential Commission Against Graft and Corruption, respondent Edda V. Henson, Administrator, Intramuros Administration is hereby DISMISSED from the service with forfeiture of benefits under the law for violation of Section 3, par (a) and (e) of RA 3019.

SO ORDERED.

Done in the City of Manila, this 30th day of November, in the year of Our Lord, nineteen hundred and ninety five.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 231
IMPOSING THE PENALTY OF TWO (2) MONTHS AND TWENTY (20) DAYS SUSPENSION
FROM THE SERVICE ON EDMUNDO LIBID, CHIEF OF MISSION II,
FOR SIMPLE NEGLIGENCE OF DUTY

This refers to the administrative complaint filed *motu proprio* by the Department of Foreign Affairs (DFA) against Chief of Mission II Edmundo Libid for Inefficiency and Incompetence in the performance of official duties, Neglect of Duty and Dishonesty.

On July 18-20, 1994, in the course of the regular fiscal, administrative and consular inspection of Foreign Service Posts, an Inspection Team headed by Assistant Secretary Estrella Berrenguel of the DFA conducted an inspection of the Philippine Embassy in Nairobi.

The Inspection Team found several irregularities at the post, as follows: the loss of the Embassy vault in October 1993 which was not reported to the Home Office; collecting fees at the old rates; non-submission of the latest Performance Appraisal Reports of the Staff; absence of any diplomatic pouch for the Home Office for the period of five (5) months; issuance of two checks worth US \$42,000 as advance rental for the Ambassador's residence not in accordance with fiscal regulations, one check of which was deposited in the personal account of Mrs. Libid, wife of the respondent; and non-issuance of receipts for the one (1) year subscription collection for the Embassy newsletter.

On March 7, 1995, pursuant to the Board of Foreign Service Administration (BFSA) Resolution No. 95-008, an Investigating Committee was created to hear the case of CM II Libid. On 26 September 1995, the Investigating Committee submitted its report which resulted in the filing of a formal complaint against respondent.

In support of the charges of Inefficiency and Incompetence in the performance of official duties, the Department alleged: Issuance of passports to Myrna Obsuna Bolay on 22 October 1992, to Regina de Ramos Libid and Katrina Tatum Libid Papa on 12 April 1994, all without payment of the required passport fees; Issuance of an Embassy cheque payable to cash in the amount of US\$18,000.00 as part of the US\$42,000.00 payment of annual rental paid for the Ambassador's residence, without prior Department approval and in violation of existing administrative and fiscal regulations; Loss of the Embassy safe and its contents; Excessive telephone and fax charges amounting to US\$4,502.85 incurred during the months of March, April and May 1994; and Non-payment of the Embassy's account with the Kenya Postal Telecommunications Corporation amounting to US\$32,139.22. On the charge of Neglect of Duty, the Department further alleged: The publication of an Embassy newsletter and collection of subscription fees without prior approval and without issuing proper receipts; and the employment of one Wilma Tarroza as contractual employee of the Embassy without prior Department approval. On the charge of Dishonesty, the Department furthermore alleged: Payment in advance of salaries and allowances of Embassy personnel for the period 16-31 July and August 1994 contrary to existing regulations; and payment to respondent of salary, allowances and per diem for the month of September 1994 knowing that his tour of duty as Philippine Ambassador to Kenya has officially ended.

Respondent submitted his Answer on February 22, 1995 and his Supplemental Answer on August 3, 1995 wherein he refuted the charges against him and explained the reasons for his actions.

The Investigating Committee found the allegations of the Department on the charge of non-payment of required passport fees substantiated. The non-payment was established from the Embassy's Fiscal Report, on the fact that the official receipt numbers were not noted in the passport application forms and on the Commission on Audit Report dated 26 May 1995. However, respondent's act did not constitute inefficiency and incompetence in the performance of official duties but only simple neglect of duty. Respondent should know that existing regulations require the payment of passport fees before issuance of passports is made, unless waived by the Secretary of Foreign Affairs under certain conditions. For failure to give due attention to this requirement in the performance of his duty, he is liable for neglect of duty. Neglect of duty, in law, has been interpreted to mean "to fail to give due attention especially to the performance of a task or duty". (Magallanes vs. Provincial Board, 66 OG 7832). Secondly, on the charge of issuance of Embassy check payable to cash without prior Department approval, respondent should have presented an affidavit of the Assistant Secretary for Fiscal Management to confirm his alleged prior authorization. Impliedly, such act would have been proper had the Department's prior approval been secured. Also, the Department has not alleged that it suffered damage as a result of the issuance of the cheque payable to cash, neither has it been established that respondent unduly profited thereby. The Investigating Committee likewise found respondent's act as constituting simple neglect of duty.

Regarding the other charges against respondent concerning the loss of the Embassy safe, the non-payment of the Embassy's account with the Kenya Postal Telecommunications Corporation, the publication of an Embassy newsletter, the hiring of a contractual employee without the prior Department approval and the advance payment of salaries and allowances of Embassy personnel, the Committee found the evidence insufficient to sustain the imposition of any administrative penalty. Respondent's explanation was found acceptable.

However, on the charge of having incurred excessive telephone and fax bills amounting to US\$4,502.85, the Committee did not accept respondent's explanation for the calls and faxes made to countries outside of his territorial jurisdiction and to those that were not connected with the crises which the Embassy experienced. The examination of the telephone bills by the Ad Hoc Investigating Committee disclosed that the invoices consisted of 31 pages noted that 655 calls were made to the Philippines; 36 to South Africa; 28 to Djibouti; 25 to Saudi Arabia; 22 to UAE; 16 to U.K.; 13 to U.S.A.; 8 to Oman; 7 to Madagascar; 4 to Ethiopia; 4 to France; 4 to Switzerland; 2 to Austria and 1 each to Belgium, Egypt and Luxembourg. The territorial jurisdiction of the Philippine Embassy in Nairobi covers Kenya, Burundi, Comoros, Djibouti, Eritrea, Ethiopia, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Somalia, Tanzania, Uganda and South Africa before the opening of the Philippine Embassy in Pretoria. While it could be safely assumed that telephone calls or fax messages sent to countries within its territorial or consular jurisdiction are official in nature, the same assumption could not be made for calls made outside of its territorial jurisdiction. Respondent has not explained nor introduced evidence to establish the official nature of the calls made to countries outside of the Embassy's jurisdiction and those to where there were no crises to be attended. Under ordinary circumstances, the Office of Fiscal Management Services would demand payment for the unofficial telephone calls. The Investigating Committee, therefore, recommended that respondent be required to pay for the telephone calls and fax messages which he could not fully justify as official in nature.

Lastly, respondent is liable for his failure to adhere to Department Order 05-95 which mandates that "if an officer has not left the post ten (10) days from the effectivity of his recall, he shall be paid only at peso rate and that payment of all allowances shall cease." In the light of respondent's admission

that per Assignment Order 163-94 (12 May 1994) his official tour of duty in Nairobi was “until 31 August 1994 with no further extension”, there was therefore no express extension of his assignment.

The Investigating Committee recommended that the Board direct the Office of Fiscal Management Services to determine respondent’s fiscal liability for possible refund of the excess amount he received taking into consideration the *quantum meruit* principle, given that he continued to perform his duties until the date of his departure on 28 September 1994.

The findings of the Investigating Committee, as affirmed by the Board of Foreign Service Administration, was adopted *in toto* by the Department of Foreign Affairs.

WHEREFORE, upon the recommendation of the Secretary of Foreign Affairs, this Office hereby orders the **SUSPENSION** from the service of respondent **EDMUNDO LIBID** for two (2) months and twenty (20) days, effective immediately.

In addition, the Office of Fiscal Management, that Department, is ordered to determine respondent’s liability under Department Order 05-95 and to implement corresponding penalties therefor. Finally, respondent is ordered to pay for the telephone calls and fax messages which were not official in nature.

SO ORDERED.

Manila, Philippines, December 6, 1995

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

ADMINISTRATIVE ORDER NO. 232

Based on the records available on file and in the possession of Malacañang Records Office, Administrative Order No. 232 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 233
IMPOSING THE PENALTY OF DISMISSAL FROM THE SERVICE OF PROVINCIAL
PROSECUTOR JUAN D. CEREZO OF TARLAC

This refers to the administrative complaint for grave misconduct against Tarlac Provincial Prosecutor Juan D. Cerezo who was entrapped on April 21, 1995 receiving ₱20,000.00 which he demanded in exchange for the release of two (2) accused facing drug charges.

On August 10, 1995, the Department of Justice formally charged Prosecutor Cerezo with grave misconduct on the basis of the affidavit of arrest of Police Inspector Joselito Dominguez, Supervising Officer of the Tarlac Provincial Anti-Narcotics Office, 3NRFU, PNP NARCOM, and the sworn statements of Editha Liego, Wil Fernando and Roberto Isip, who are relatives of accused Rosendo Liego and Edgar Isip.

Police Insp. Dominguez testified that on April 12, 1995, his team arrested Rosendo Liego and Edgar Isip for drugs. The two (2) were detained at the Tarlac Provincial Jail and charged by Prosecutor Cerezo in separate informations for illegal possession and sale of marijuana, respectively. He later came to know that their relatives approached for assistance Prosecutor Cerezo who assured them that the accused could be released provided they pay him ₱10,000.00 for each accused as he would prepare a motion for reinvestigation to be filed in court. Having known the case of Julio Sicat who was then under detention for illegal possession of shabu and from whom Prosecutor Cerezo also demanded ₱10,000.00, he planned to set an entrapment on said prosecutor. Sicat had confided to him that he would soon be released in consideration of ₱10,000.00 demanded by Prosecutor Cerezo who would prepare his motion for reinvestigation. He succeeded in convincing the three (3) relatives of accused Liego and Isip to cooperate in the plan of entrapment.

Editha Liego, Wil Fernando and Roberto Isip affirmed the allegations in their sworn statements. At around 10:00 a.m. of April 21, 1995, they proceeded to the Office of the Prosecutor Cerezo supposedly to bring the ₱20,000.00 and sign the motion for reinvestigation. What was prepared instead was an Urgent Motion for Preliminary Investigation and Reduction of Bail which Roberto Isip and Editha Liego were made to sign. When Prosecutor Cerezo asked for the money, Wil Fernando placed the two (2) air mail envelopes containing the money inserted in a newspaper as previously instructed by Prosecutor Cerezo on top of the table but he pulled out the newspaper leaving the envelopes on the table. After confirming secretly from Wil Fernando that the money had already been given, Roberto Isip stepped out and gave the signal to Pol. Insp. Dominguez who, together with his men, rushed inside the room and arrested Prosecutor Cerezo whose hands were later found positive for the presence of ultra-violet powder.

Prosecutor Cerezo and his witnesses did not appear during the investigation but his answer, counter-affidavit and supplemental counter-affidavit were submitted by his counsel who waived the cross-examination of the prosecution witnesses. Prosecutor Cerezo denied demanding ₱20,000.00 in consideration for the release of accused Isip and Liego. He told their relatives who sought his help that since the case was already filed in court, what they could do was file a motion for preliminary

investigation and reduction of bail. He admitted assisting them in the preparation of said motion, the accused having the right to preliminary investigation since only an inquest was performed and also to ask for reduction of their bail. After Roberto Isip and Editha Liego had signed the prepared motion to which he also affixed his signature for his conformity, he was arrested. He denied that the money was handed to him but it was merely placed on his table.

Perlita Maliwat, witness for Prosecutor Cerezo and member of his staff, executed an affidavit corroborating Prosecutor Cerezo's allegations. She admitted having prepared the motion for preliminary investigation and reduction of bail patterned after a standard format as instructed by Prosecutor Cerezo. After said motion was signed by Editha Liego and Roberto Isip and by Prosecutor Cerezo for his conformity, the person seated in front of the Prosecutor placed an envelope from a folded newspaper on top of the table. Thereafter, three (3) persons barged inside the room and one of them picked up the envelope and told the Prosecutor, "You are under arrest."

Prosecutor Cerezo also set up the defense that he was framed-up by Pol. Insp. Dominguez and Tarlac Mayor Manalang as he had filed against the latter a civil case in behalf of the Tarlac Market Vendors Cooperative on April 20, 1995. He submitted the affidavit of one Rolando Gonzales who claimed to have overheard one Minong Trinidad during a fiesta celebration comment that his entrapment and arrest were planned by Mayor Manalang.

The Department of Justice gave credence to the testimony of Pol. Insp. Dominguez who is presumed to have regularly performed his duty as a law enforcer there being no convincing proof to the contrary, as well as those of Editha Liego, Wil Fernando and Roberto Isip in the absence of clear evidence of improper motive on their part. It discredited the weak and unsubstantiated defenses of the Prosecutor. It found that the preparation of the motion for preliminary investigation and reduction of bail by Prosecutor Cerezo was clearly a procedural scheme or design to effect the release of the two (2) accused from detention, at least provisionally, in consideration of ₱10,000.00 each. The surrounding circumstances would show the manifestly anomalous and irregular acts of Prosecutor Cerezo. Records reveal that he filed the separate informations for violations of the Dangerous Drugs Act against Julio Sicat, Edgar Isip and Rosendo Liego, recommending bail of ₱60,000.00 each and subsequently prepared their motions either for reinvestigation or preliminary investigation and reduction of bail from ₱60,000.00 to ₱10,000.00, signing his conformity thereto which, from all indications are intended for him to exact ₱10,000.00 from each accused in consideration for their release. In the case of Julio Sicat, Prosecutor Cerezo signed the information stating that there was preliminary investigation conducted, yet the motion for reinvestigation which he prepared invoked the ground of lack of preliminary investigation. As a consequence thereof, the Court issued an order recalling the warrant of arrest against Sicat citing the conformity of Prosecutor Cerezo and pursuant thereto, the latter immediately issued the release order for Sicat.

The Department of Justice concluded that there appears a pattern of action, a form of *modus operandi* practiced by Prosecutor Cerezo to release accused persons in drug cases for monetary consideration after he himself had charged them in court. This he did by way of motions for reinvestigations, reduction of bail, etc. he prepared for the accused.

Based on the evidence on record, the Department of Justice found a clear case of grave misconduct committed by Prosecutor Cerezo and recommended his dismissal from the service with forfeiture of all benefits.

I concur in the findings and recommendation of the Secretary of Justice.

Prosecutor Cerezo clearly violated the Anti-Graft and Corrupt Practices Act and further committed acts detrimental to the successful and expeditious prosecution of drug offenses. His actions betrayed his brazen disregard of a prosecutor's important task in the prosecution of drug

offenses considering the menace of drugs and their pernicious effects to the public and society. For such grave misconduct he should be meted the penalty of dismissal from the service.

WHEREFORE, premises considered, Provincial Prosecutor Juan D. Cerezo of Tarlac is hereby dismissed from the service for grave misconduct with forfeiture of all benefits under the law. His dismissal shall take effect after fifteen (15) days following his receipt of a copy of this Order.

DONE in the City of Manila, this 13th day of December, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). [*Administrative Order Nos.: 201 - 300*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 234
RECONSTITUTING THE MEMBERSHIP OF THE RIZAL DAY NATIONAL COMMITTEE IN
CONNECTION WITH THE OBSERVANCE OF THE 99TH DEATH ANNIVERSARY OF
DR. JOSE P. RIZAL ON 30 DECEMBER 1995

I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby reconstitute the membership of the Rizal Day National Centennial Committee in connection with the observance of the 99th Death Anniversary of Dr. Jose P. Rizal on 30 December 1995, as follows:

The Secretary of Education, Culture and Sports	- Chairman
The Chairman, Rizal Martyrdom Centennial Commission	- Vice-Chairman
The Secretary of the Interior & Local Government	- Member
The Undersecretary of Public Works and Highways	- Member
The Undersecretary of National Defense	- Member
The Undersecretary of Tourism	- Member
The Undersecretary of Social Welfare and Development	- Member
The Undersecretary of Budget and Management	- Member
The Undersecretary, Office of the Press Secretary	- Member
The Chief of Presidential Protocol	- Member
The Chairman, National Historical Institute	- Member
The Chairman, Metropolitan Manila Development Authority	- Member
The Executive Director, National Centennial Commission	- Member
The City Mayor of Manila	- Member
The Supreme Commander of the Knights of Rizal	- Member
The President, Kababaihang Rizalista	- Member

To fittingly commemorate and properly disseminate nationwide the 99th Death Anniversary of Dr. Jose P. Rizal, I hereby authorize the Department of Budget and Management to release the amount of **FIVE HUNDRED THOUSAND (₱500,000.00) PESOS** from the President's Contingent Fund to defray expenses for the 1995 commemoration activities for the martyrdom of Dr. Rizal.

This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 21st day of December, in the year of Our Lord, Nineteen Hundred and Ninety-Five.

(Sgd.) FIDEL V. RAMOS

By the President
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 235
DROPPING FROM THE ROLLS OF ATTY. JACOB F. MONTESA, DIRECTOR III, LEGAL SERVICES, DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT.

This refers to the case of Atty. Jacob F. Montesa, Director III Legal Services, Department of Interior and Local Government, who is recommended to be dropped from the rolls for his refusal to assume duties at his reassigned post in Davao City.

On July 26, 1994, DILG Secretary issued Department Order No. 94-370, reassigning Atty. Montesa as Director III in Region XI, Davao City. On December 5, 1994, Montesa informed the Secretary that he will re-assume his duty as Chief of Legal Services upon the expiration of his sick leave. The following day, Acting Secretary Alexander P. Aguirre directed him to report to Region XI. Montesa requested for a reconsideration of the order, but the same was denied. On January 20, 1995 he appealed the denial to the Civil Service Commission, which appeal was dismissed on May 23, 1995.

Thereafter, Atty. Montesa filed a motion for reconsideration. On August 22, 1995, the Commission, denying the motion declared that:

“In the absence of grave abuse of discretion tantamount to oppression or harassment, patent error or injustice on the part of the Head of Office, exercising his authority under the law, the Commission may not and cannot ordinarily set aside said reassignment order or declare it null and void. This authority is granted to head of agencies under Sec. 26 (par. 7), Book V of the Administrative Code of 1987 which provides:

(7) Reassignment. An employee may be reassigned from one organizational unit to another in the same agency: Provided, that such reassignment shall not involve a reduction in rank, status or salary.”

The Commission further noted that Montesa failed to prove that the reassignment violated said provision.

With the denial, the Department, on October 10, 1995, reminded Montesa to report to Region XI, otherwise the office shall be constrained to consider him absent without leave (AWOL) and drop his name from the rolls.

Instead of complying, Atty. Montesa filed a petition for review with the Court of Appeals with a prayer for the issuance of a temporary restraining order. No TRO was issued, however.

On November 9, 1995, Jaime A. Madrino, Region XI Regional Director, informed the DILG Secretary that despite the October 10, 1995 reminder, Atty. Montesa still had not reported for work.

The intransigence and open defiance displayed by Atty. Montesa which greatly prejudiced and compromised public interest, led the DILG Secretary to recommend the dropping of his name from the roster of public servants.

After a careful study of the case, this Office hereby adopts the recommendation.

Civil Service Commission Memorandum Circular No. 12 series of 1994 provides that **an officer or employee who is continuously absent without approved leave (AWOL) for at least thirty (30) calendar days shall be separated from service or dropped from the rolls without prior notice.** He shall, however, be informed of his separation from service not later than five (5) days from its effectivity.

This particular mode of separation is non-disciplinary in nature, thus the ex-parte nature of termination. Further, it does not result to any forfeiture of any benefits on the part of the official or employee, nor in disqualifying him from reemployment in the government (Section 2.6, CSC Memorandum Circular No. 12, s. of 1994).

The circular was issued to promote efficient and effective personnel administration in government and to obviate any prejudice to the service.

This office notes that the order of reassignment was issued on July 26, 1994. Although a public officer affected by the reassignment is granted the remedy of appealing the order on the ground that the movement is due to harassment or coercion, until this is proven however, the order is presumed to be in the interest of the service and notwithstanding the appeal, the decision to detail shall be executory. No such stay of execution or restraining order was issued by any of the three bodies which acted on his appeal. And yet to date, Atty. Montesa still has not reported to his new post.

His actuations more than warrant the imposition of the sanction provided for in Memorandum Circular No. 12, series of 1994.

Wherefore, in view of the foregoing, and upon the recommendation of the Department of Interior and Local Government, for serious neglect of duty and absences without official leave (AWOL), the name of Atty. Jacob F. Montesa, Director III, Legal Services, is dropped from the roster of public servants.

Done in the City of Manila, this 13th day of December, in the year of Our Lord, Nineteen Hundred and Ninety- Five.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1995). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 236
PRESCRIBING RULES AND REGULATIONS ON THE COLLECTION, REMITTANCE AND
UTILIZATION OF SALES PROCEEDS UNDER REPUBLIC ACT NO. 7227 AS AMENDED BY
REPUBLIC ACT NO. 7917

1. PURPOSE

This Order is issued to prescribe the rules and regulations covering the collection, remittance and utilization of proceeds from the sale of government lands and other properties transferred to the Bases Conversion Development Authority pursuant to RA No. 7227 as amended by RA No. 7917.

2. COVERAGE

This Order covers the Bases Conversion Development Authority (BCDA) and all agencies, national, local or government corporation, designated as beneficiaries, implementors or conduits, hereafter referred to as agencies, of the proceeds of the sale of government lands and other properties in accordance with the provisions of RA No. 7227 as amended by RA No. 7917.

3. GENERAL GUIDELINES

- 3.1 Pursuant to the “one fund” concept in government budgeting and accounting, consistent with the provisions of Section 29 (1) of Article VI and Section 22 of Article VII of the Constitution, as implemented by Sections 44 and 45, Book VI of EO No. 292 and Sections 65 and 66 of the Government Auditing Code, all income, fees, charges, assessments, and other receipts or revenues collected by government offices and agencies shall be deposited in the National Treasury and shall accrue to the General Fund of the National Government.
- 3.2 Section 1 of RA 7917 provides that “The proceeds from any sale, after deducting all expenses related to the sale, of portions of Metro Manila military camps as authorized under this Act, shall be deemed appropriated for the purposes herein provided...”. This means that the funds are automatically appropriated and their utilization shall be in accordance with the purposes enumerated therein, subject however, to budget programming based on the approved government fiscal program for the year.

4. SPECIFIC GUIDELINES

- 4.1 The proceeds from the sale of government lands and other properties pursuant to Section 8 of RA 7227 as amended by RA 7917 are hereby declared government funds and shall be remitted to the National Treasury and shall accrue to the General Fund of the government.
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- 4.1.1 The treatment and deposit of interest earnings from the proceeds of sale of government lands and other properties transferred to BCDA pursuant to R.A. No. 7227, as amended by R.A. No. 7917, shall be determined by the Committee created under paragraph 4.2 hereof in consultation with the Bureau of the Treasury and the Commission on Audit.
- 4.2 BCDA shall remit to the National Treasury, the proceeds from the sale, net of the expenses directly incurred in the sale of the land or property, within two weeks after receipt of actual payment from the buyer. The direct expenses incurred shall pertain to those expenses that are directly attributable to the sale of the land or property such as the appraisal/valuation of the properties, marketing expenses and relocation/replication costs or those which would not have been incurred by BCDA and AFP if the decision to sell were not made, with the latter to be determined jointly by a Committee herein created composed of representatives from the Bases Conversion Development Authority (BCDA), Department of National Defense (DND) and Department of Finance (DOF).
- 4.3 In accordance with Section 1 of RA 7917, 2.5% of the sales proceeds of Fort Bonifacio, net of the direct expenses defined in the preceding section, shall be deducted to cover the share to be divided equally among the City of Makati and the Municipalities of Taguig and Pateros. The Bureau of the Treasury shall establish a separate Special Account for the Department of Budget and Management which shall act as conduit and administrator of the fund intended for the City of Makati and the Municipalities of Taguig and Pateros.
- 4.4 The purposes enumerated in RA 7917 shall be interpreted as follows:
- 4.4.1 The Modernization Program referred to under Section 1 (1) shall include not only the modernization program of the Armed Forces of the Philippines but also the modernization program of the Government Arsenal as determined by the Secretary of National Defense;
 - 4.4.2 Section 1 (3) shall mean the National Shelter Program as implemented by the National Housing Authority, National Home Mortgage Finance Corporation and Home Insurance Guaranty Corporation as endorsed by the Housing and Urban Development Coordinating Council;
 - 4.4.3 Section 1 (5) shall mean critical infrastructure projects for areas surrounding the former bases as recommended by the BCDA and forwarded to the Department of Public Works and Highways (DPWH) and Department of Transportation and Communications (DOTC) for implementation;
 - 4.4.4 Section 1 (9) shall mean the multi-year program of the prosecution service being implemented by the Office of the Secretary of the Department of Justice (DOJ) and the Ombudsman;
 - 4.4.5 Section 1 (10) shall mean the improvement of prison facilities undertaken by the Bureau of Jail Management and Penology and the Bureau of Corrections;
 - 4.4.6 Section 1 (11) shall mean the judicial reform programs of the Judiciary;
 - 4.4.7 Section 1 (12) shall mean the pre-school program of the Department of Education, Culture and Sports (DECS) and day care centers as determined by the Department of Social Welfare and Development (DSWD);
 - 4.4.8 Section 1 (14) shall mean the construction of Senior Citizens Centers as determined by the DSWD; and
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4.4.9 Section 1 (15) shall mean programs and projects to meet emergency and contingent needs of the areas devastated by the Mount Pinatubo eruptions as determined by the Mt. Pinatubo Commission for implementation by the appropriate agencies.

4.5 The Bureau of the Treasury shall record the net proceeds, i.e., after deducting the expenses and shares stipulated in Section 4.2 and Section 4.3, respectively, separately as a Special Account in the General Fund. For this purpose, a separate Special Account shall be established for each of the individual agencies, as follows:

- 4.5.1 35% for the account of the Armed Forces of the Philippines and the Government Arsenal;
- 4.5.2 27.5% for the account of the Bases Conversion Development Authority;
- 4.5.3 12% for the account of the National Housing Authority, National Home Mortgage Finance Corporation and Home Insurance and Guaranty Corporation;
- 4.5.4 3% for the account of the Philippine Health Insurance Corporation;
- 4.5.5 5% for the account of the Department of Public Works and Highways and Department of Transportation and Communications;
- 4.5.6 2% for the account of the Philippine Veterans Affairs Office;
- 4.5.7 1 % for the account of the Commission on Higher Education;
- 4.5.8 2% for the account of the Department of Science and Technology;
- 4.5.9 1 % for the account of the Office of the Secretary, Department of Justice and the Ombudsman;
- 4.5.10 2%, but not to exceed two billion pesos, for the account of the National Bureau of Investigation, Bureau of Corrections, Philippine National Police, and the Bureau of Jail Management and Penology;
- 4.5.11 1 %, but not to exceed one billion pesos, for the account of the Supreme Court of the Philippines and the Lower Courts, Sandiganbayan, Court of Appeals and Court of Tax Appeals;
- 4.5.12 2% for the account of the Department of Education, Culture and Sports and Department of Social Welfare and Development;
- 4.5.13 1/2%, but not to exceed five hundred million pesos, for the account of the Department of Labor and Employment;
- 4.5.14 1 % for the account of the Department of Social Welfare and Development;
- 4.5.15 3% for the account of the Mount Pinatubo Assistance, Rehabilitation and Development Fund; and
- 4.5.16 2% for the account of the Philippine Economic Zone Authority.

4.6 The individual Special Accounts shall be utilized exclusively for the purposes for which they have been established as prescribed under Section 8 of RA 7227 as amended by RA 7917. The DBM shall program the annual utilization of the proceeds of sales consistent with the approved fiscal program of the government and shall release the share of each of the beneficiary agencies in accordance with specific budget execution guidelines.

4.6.1 In the case of the Special Accounts created for two or more Departments or agencies but no specific allocation for each of the agencies is provided under RA 7917, as mentioned in Section 4.5, utilization of the same shall be contained in a

Memorandum of Agreement between the departments and agencies concerned.

- 4.6.2 The utilization of the Special Account created for the Mount Pinatubo Assistance, Rehabilitation and Development Fund referred to in paragraph 4.5.15 shall be subject to the approval of the Mt. Pinatubo Commission, however, the funds for the projects may be released directly to the implementing agencies.
- 4.6.3 In the case of the sale of a portion of Fort Bonifacio, BCDA may be reimbursed an amount to defray its obligation incurred prior to the enactment of RA 7917, for housing construction to relocate the squatters which shall be charged against the 12% share of the National Shelter Program but shall in no case exceed 50% of the said share.
- 4.6.4 In cases where there have been releases made from the proceeds of the sale of Fort Bonifacio to departments by way of Presidential Directive prior to the issuance of this IRR, such released amount shall be considered/treated as advance releases. Such amount shall be reimbursed from whatever share the said department may have from their respective allocation out of such proceeds.
- 4.7 The Special Accounts herein established shall be considered as sources of funding for the purposes enumerated in RA 7917 and not as additional appropriations to other appropriation sources intended for purposes similar to those enumerated in the same Act. However, for CY 1995, in cases where an appropriation for the purposes enumerated in RA 7917 has been provided under the General Appropriations Act, said appropriation shall first be obligated prior to the release of funds against the special account except if the appropriation in the GAA refers to a regular program of the department/agency.
- 4.8 All expenditures chargeable against the individual Special Accounts shall be included in the program of expenditures of the national government and the local government units concerned. However, the appropriations will not be reflected in the General Appropriations Act. For this purpose, all agencies shall prepare and submit to the Department of Budget and Management, a request and such other documents as may be required detailing the items of expenditures. This request shall include both the quarterly obligation and cash program requirements of the beneficiary agency.
- 4.9 Beginning 1996, all expenditures shall be included in the over-all expenditure program of the agency concerned following the regular budgetary process. Proposed programs and projects to be funded under RA 7917 shall be evaluated against the overall requirements of the agency.
- 4.10 All agencies shall submit periodic reports to the Office of the President, copy furnished the Department of Budget and Management and the Department of Finance on the status of funds utilization in accordance with the provisions of DBM Circular Letter No. 92-6 dated June 27, 1992.

5. EFFECTIVITY

This Order shall take effect fifteen (15) days following publication in two (2) newspapers of general circulation.

DONE in the City of Manila, this 8th day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 237
CREATING A NATIONAL ORGANIZING COMMITTEE AND A NATIONAL SECRETARIAT
FOR THE NINTH SESSION OF THE INTERGOVERNMENTAL FOLLOW-UP AND
COORDINATION COMMITTEE (IFCC-IX) ON ECONOMIC COOPERATION AMONG
DEVELOPING COUNTRIES

WHEREAS, the Philippines is the 1995 Chairman of the Group of 77 in New York;

WHEREAS, as current Chairman of the Group of 77 and in conjunction with the Philippine national policy on sustainable development, the Philippines has accepted to host the Ninth Session of the Intergovernmental Follow-Up and Coordination Committee on Economic Cooperation Among Developing Countries, hereinafter referred to as the IFCC-IX-ECDC, on 9-12 February 1996 in Manila;

WHEREAS, the IFCC-IX-ECDC, as an integrative session between the economic (Group of 77) and the political (Non-Alignment Movement) grouping among developing countries, is acknowledged as an important event for the country, serving as a forum for promoting the country's national interests particularly in the area of the United Nations' operational activity of economic and technical cooperation among developing countries, otherwise known as the ECDC/TCDC Programme;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Creation of the National Organizing Committee.* There is hereby created a National Organizing Committee for the Ninth Session of the Intergovernmental Follow-Up and Coordination Committee on Economic Cooperation among Developing Countries, hereinafter referred to as the NOC, to prepare for and organize the IFCC-IX-ECDC.

- a. ***Composition.*** The Chairman of the NOC shall be the Secretary of the Department of Foreign Affairs (DFA). The Vice-Chairman shall be the Director-General of the National Economic and Development Authority (NEDA). The members of the NOC shall be the Cabinet Secretaries of the following Department/Agencies:

1. Department of Agriculture (DA)
2. Department of Education, Culture and Sports (DECS)
3. Department of Energy (DOE)
4. Department of Environment and Natural Resources (DENR)
5. Department of Finance (DOF)
6. Department of Science and Technology (DOST)
7. Department of Trade and Industry (DTI)
8. Department of Tourism (DOT)

9. Department of Interior and Local Government (DILG)
10. Department of Transportation and Communication (DOTC)
11. Department of Health (DOH)
12. Department of Labor and Employment (DOLE)
13. Department of Budget and Management (DBM)
14. Office of the Press Secretary (OPS)

The NOC shall have the authority to select and invite other agencies, to include the private sector and non-governmental organizations in its membership, as the Committee may deem necessary and useful in the accomplishment of its objectives.

- b. **Functions.** The NOC shall undertake and oversee all necessary preparations to insure the successful hosting of the Ninth Session of the Intergovernmental Follow-Up and Coordination Committee on Economic Cooperation among Developing Countries (IFCC-IX-ECDC). Likewise, it shall perform all other functions as may be deemed necessary for the success of the IFCC-IX-ECDC.

SEC. 2. *Creation of the National Secretariat.* To provide staff support for the National Organizing Committee and the IFCC-IX-ECDC, an inter-agency National Secretariat is hereby created to be based at the Department of Foreign Affairs, Office of United Nations and Other International Organizations (UNIO). The National Secretariat shall be headed by the UNIO Assistant Secretary.

Member agencies of the National Organizing Committee shall detail personnel to the National Secretariat. The Chairman is hereby authorized to contract, on a short-term project basis, additional personnel for the National Secretariat or call on other agencies for the detail of personnel, as may be deemed necessary to ensure complete, efficient, and effective staff support for the IFCC-IX-ECDC.

All detailed personnel shall be entitled to remuneration in accordance with existing rules and regulations.

SEC. 3. *Funding.* The funding requirements for the IFCC-IX-ECDC, at such amounts as may be deemed necessary and to be determined by the National Organizing Committee, shall be drawn from the International Commitments Fund portion of the FY 1996 Budget.

SEC. 4. *Effectivity.* This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 8th day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). [*Administrative Order Nos.: 201 - 300*]. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

ADMINISTRATIVE ORDER NO. 238

Based on the records available on file and in the possession of Malacañang Records Office, Administrative Order No. 238 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

ADMINISTRATIVE ORDER NO. 239
CREATING AN AD HOC COMMITTEE TO INVESTIGATE THE ADMINISTRATIVE
COMPLAINTS FILED AGAINST CERTAIN OFFICIALS AND EMPLOYEES OF THE
NATIONAL FOOD AUTHORITY (NFA)

There is hereby created, an ad hoc Investigating Committee to investigate the administrative complaint against fifteen (15) officials of the National Food Authority, all non-presidential appointees, subject of a complaint filed with the Office of the President on 06 November 1995.

The Investigating Committee shall be composed of the following:

Eufemio C. Domingo Chairman Presidential Commission Against Graft and Corruption	- Chairman
Dario C. Rama Commissioner Presidential Commission Against Graft and Corruption	- Member
Jaime L. Guerrero Commissioner Presidential Commission Against Graft and Corruption	- Member

The Investigating Committee shall follow the procedure prescribed under Section 38 to 40 of the Civil Service Law (PD 807). The investigation of the administrative complaint shall be terminated by the Investigating Committee within ninety (90) days from the start thereof.

The Investigating Committee shall, within (20) days after receipt of the last pleading and evidence, if any, in case the respondents do not elect formal investigation; or after the expiration of the period within which to submit the same; or after the termination of the formal investigation; or after the parties have submitted their respective memoranda, if so allowed; forward to the Disciplining Authority the entire records of the case, together with its findings and recommendations; as well as the draft decision for approval of the President.

This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 8th day of January, in the year of Our Lord, Nineteen Hundred and Ninety-six.

By authority of the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACANANG

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 240**AUTHORIZING THE LOCAL EXECUTIVES OF THE NATIONAL CAPITAL REGION TO ORGANIZE, SUPPORT AND FINANCE LOCAL POLICE AUXILIARY UNITS**

WHEREAS, there has been a resurgence of crime, especially in the National Capital Region, which undermines whatever economic gains have been achieved by this administration;

WHEREAS, the fight against crime and the maintenance of peace and order are not the sole responsibilities and duty of the national government but more so of local governments where these crimes are committed;

WHEREAS, there is a need to authorize local executives, especially in the National Capital Region where most of the reported heinous crimes are committed, for them to organize, support and finance local police auxiliary units in order to make them more effective in dealing with criminality and maintain peace and order in their respective localities;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Authority of Local Executives of the National Capital Region to Organize, Support and Finance Local Police Auxiliary Units. - City and Municipal Mayors in the National Capital Region, particularly in the Cities of Manila, Quezon, Pasay, Kalookan, Mandaluyong, Pasig, Makati and Muntinlupa, and the Municipalities of Malabon, Navotas, Valenzuela, San Juan, Marikina, Taguig, Pateros, Paranaque and Las Pinas, as deputized representatives of the National Police Commission, are hereby authorized to organize, support and finance local police auxiliary units in order to assist the existing police forces assigned in their respective localities. Provided, however, that the members of those auxiliary units shall not be issued nor allowed to carry firearms, nor be detailed or assigned as personal security of local officials.

SEC. 2. Over-all Supervision Over the Police Auxiliary Units by the Director General of the Philippine National Police. - The members of the local police auxiliary force shall be under the over-all supervision of the Director General of the Philippine National Police and under the direct supervision of the Chief of Police of the city or municipality.

SEC. 3. Recruitment and Recommendation for Appointment of Local Police Auxiliary Personnel. - The City/Municipal Mayors concerned shall recruit and appoint the members of the local police auxiliary units. Those recruited shall be recommended for appointment from a list of eligibles previously screened by the peace and order council of their city/municipality. If eligibles are not sufficient, those to be recruited shall be appointed on a probational basis, provided that they shall undergo and pass the requisite examinations devised by the Chief, Philippine National Police.

SEC. 4. Crash Training Program for New Recruits at the PNP Training Center. - Before being appointed, the new members of the local police auxiliary units shall undergo a training program to be conducted by the PNP.

SEC. 5. Augmentation of the Regular PNP Elements by the Auxiliary Units. - After their basic training, the members of the auxiliary units shall assist the existing regular PNP elements in traffic management and control, in the performance of administrative duties and such other duties and functions which are non-life threatening, as may be assigned by the Mayor or the Chief of Police of the municipality or city.

SEC. 6. Development and Establishment of an Integrated Area/Community Public Safety Plan for Implementation by the Local PNP Station. - The City/Municipal mayor concerned shall, in coordination with the local peace and order council of which he is the chairman pursuant to Executive Order No. 309, as amended, develop and establish an integrated area/community public safety plan embracing priorities of action and program thrust for implementation by the local PNP station.

It shall, likewise, be the duty of the city or municipal mayor to sponsor periodic seminars for members of the PNP and the auxiliary units in his city or municipality in order to update them regarding local ordinances and legislation.

SEC. 7. Disciplinary Authority of the City/Municipal Mayor. - The city and municipal mayors concerned shall have the power to impose, after due notice and summary hearings, disciplinary penalties for minor offenses committed by members of the police auxiliary units assigned to their respective jurisdictions.

SEC. 8. **Effectivity.** This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 12th day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 241

CREATING A SUBSTANTIVE GROUP TO SUPPORT THE 1996 CHAIR OF SENIOR OFFICIALS MEETINGS OF THE ASIA-PACIFIC ECONOMIC COOPERATION (APEC) AND ESTABLISHING THE NECESSARY SECRETARIAT THEREFOR

WHEREAS, the Philippines will be the host of the Asia-Pacific Economic Cooperation (APEC) in 1996 which will involve, among others, the chairing of meetings of APEC Senior Officials as well as Ministerial Meetings leading to the fourth APEC Economic Leaders' Meetings, to be held in Subic in November 1996;

WHEREAS, the APEC hosting by the Philippines is a historic event for the country and its people viewed in the context of being able to steer the future direction of economic cooperation among the eighteen (18) APEC member-economies through their respective Action Plans which shall give substance to the APEC Economic Leaders' vision of achieving free and open trade and investment in the APEC region by 2010 for industrialized economies and 2020 for developing economies;

WHEREAS, the Philippines attaches great importance to APEC not only because it is a founding member of the organization but, more importantly, recognizing the reality that the country's sustained economic growth is closely interlinked with trade and investment liberalization in the APEC region;

WHEREAS, to be able to effectively advance Philippine interests in the APEC process, more particularly at the critical level of Senior Officials' meetings, comprehensive and careful planning is a vital prerequisite that must be met;

WHEREAS, to enable the Chair of APEC Senior Officials to carry out his immense tasks for the Philippines, he will require the support of a Substantive Group which is conversant with all issues, concerns and areas of interest dealt with or covered by the APEC process, namely, trade and investment liberalization and facilitation as well as economic and technical cooperation;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. APEC Substantive Group (ASG). An APEC Substantive Group (ASG) is hereby created with the primary responsibility of providing full substantive support to the Chair of APEC Senior Officials. The ASG, which shall be under the direction of the Chair of APEC Senior Officials, shall be composed of senior officials from members of the APEC inter-agency network:

Department of Foreign Affairs (DFA)	- Chair
Department of Trade and Industry (DTI)	- Vice-Chair
National Economic and Development Authority (NEDA)	- Vice-Chair
Department of Finance (DOF)	- Member
Department of Agriculture (DOA)	- Member
Department of Science and Technology (DOST)	- Member
Department of Transportation and Communications (DOTC)	- Member

Department of Environment and Natural Resources (DENR)	-	Member
Department of Tourism (DOT)	-	Member
Department of Energy (DOE)	-	Member
Department of Labor and Employment (DOLE)	-	Member
Department of Public Works and Highways (DPWH)	-	Member
Department of Budget and Management (DBM)	-	Member
Bangko Sentral ng Pilipinas (BSP)	-	Member
Philippines Institute for Development Studies (PIDS)	-	Member
University of the Philippines (UP)	-	Member
UP-Institute of Small Industries (UP-ISSI)	-	Member
Philippine Export Zone Authority (PEZA)	-	Member
Asset Privatization Trust (APT)	-	Member
Philippine Assistance Program (PAP)	-	Member
Philippine Chamber of Commerce and Industries (PCCI)	-	Member
PHILEXPORT Foundation	-	Member
Philippine Confederation of Manufacturers (PCM)	-	Member
Asian Institute of Management (AIM)	-	Member

SEC. 2. ASG Clusters. - The ASG shall be divided into various clusters, with tasks and responsibilities correspondingly associated with each:

Trade and Investment I

Members : DTI, DFA, NEDA, TC, DOF, BSP
 Coverage : Tariffs, Non-Tariffs Measures

Trade and Investment II

Members : DTI, BSP, DFA, BOI, PEZA, DOF, NEDA
 Coverage : Standards/Conformance, Investments, Customs Procedure, Rules of Origin

Trade and Investment III

Members : DTI, BOI, DFA, DOF, DOJ, BSP, NEDA, DBM
 Coverage : Services, Government Procurement

Trade and Investment IV

Members : DTI, DFA, NEDA, DOF, BSP, DOJ/BID, APT
 Coverage : Investments, Deregulation, Mobility of Business People

Trade and Investment V

Members : DTI, DFA, NEDA, DOF, DOJ, DOF
 Coverage : Competition Policy, IPR, Dispute Mediation

Trade and Investment VI

Members : DTI, DA, DFA, NEDA, DOF, DENR, DOTC
 Coverage : UR Implementation, Information Gathering and Analysis

Trade and Investment VII

- Members : NEDA, DFA, DOLE, TESDA, DOST, DTI/Bureau of Small and Medium Business Development, BOI, UP-ISSI
- Coverage : SME, Trade Promotion, Trade and Investment Data

Eco-Tech Cooperation I

- Members : NEDA, DFA, DOTC, DOE, DOT, PTTA
- Coverage : Economic Infrastructure, Energy, Transportation, Telecommunication, Tourism

Eco-Tech Cooperation II

- Members : DENR, DFA, DA, NEDA, DOF
- Coverage : Marine Resources Conservation, Fisheries, Environment, Sustainable Development

Eco-Tech Cooperation III

- Members : DA, DFA, DOST, NEDA, PCCI, DOLE, TESDA, CHED
- Coverage : Agricultural Technology, Industrial Science & Technology, HRD

Economic Issues and Outlook

- Members : NEDA, DOF, DTI, BOI, BSP, DA, DFA, PCCI
- Coverage : Economic Issues and Outlook

Private Sector Participation I

- Members : DFA, DTI, PCCI, PEF, PCM, Makati Business Club, AIM, DAP, CRC
- Coverage : APEC Business Advisory Council, Pacific Economic Cooperation Council, Pacific Business Economic Council

Private Sector Participation II

- Members : DFA, DTI, NEDA, PIDS, AFTA Council
- Coverage : Experts Advisory Group, Admission of New APEC Members, Participation of Non-Members in APEC WGs Activities/Observer Status

Special Projects

- Members : DFA, DTI, NEDA, DOE, DECS, CHED, DENR, PCCI, DPWH, Bankers Association of the Philippines
- Coverage : Partner for Progress (Japan), Public-Private Sector Cooperation in Infrastructure Development (Indonesia), Next Generation Program (Korea), Venture Capital Development (Korea), Business Volunteer Program (Thailand), Education Foundation/Study Centers (USA), 3Es (Japan)

Membership in the above Clusters may be modified or increased from time to time by the Chair of APEC Senior Officials, as dictated by prevailing conditions.

SEC. 3. ASG Regular Meetings.- The ASG Clusters shall meet regularly, collectively or individually, as appropriate, the output of which shall be promptly reported to the Chair of the APEC Senior Officials. The APEC Chair may also call the ASG or any of its Clusters to a meeting whenever deemed necessary or appropriate.

SEC. 4. Coordination with the APEC-NOC and PCAAC. - The ASG, collectively and as individual clusters, shall coordinate its activities with the APEC-NOC. Recommendations of policy and/or substantive character shall be referred to the Executive Committee of the PCAAC for consideration.

SEC. 5. Progress Report to the President.- The Chair of the APEC Senior Officials shall submit, through the Secretary of Foreign Affairs, regular reports to the President of the highlights of every meeting of APEC Senior Officials. Contentious issues shall be immediately reported to the President together with observations and recommendations.

SEC. 6. Detail of Specialists. - All Government agencies named above shall detail to the ASG one or two specialists on issues/subjects covered by or being discussed in APEC which are within their respective areas of jurisdiction. The detail will be for the duration of 1996.

SEC. 7. ASG Secretariat. - The ASG shall have its own Secretariat, provided with the necessary staff, office equipment and supplies, communications facilities and other requirements vital to the effective discharge of its duties and responsibilities. The ASG Secretariat shall be situated at either the PICC, PNB or building of any government agency/institution suited for the purpose.

SEC. 8. ASG Funding. - The ASG shall be allotted **FIVE MILLION PESOS (₱5,000,000.00)** from the President's contingent fund to cover its costs for the duration of the hosting of APEC in 1996.

SEC. 9. Effectivity. - This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 12th day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1996). [Administrative Order Nos.: 201 - 300]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 242
FURTHER RECONSTITUTING THE EXCHANGE VISITORS PROGRAM
COMMITTEE AND REDEFINING ITS FUNCTIONS

WHEREAS, there is a need for the government to strengthen the educational, scientific, and technological capabilities of the country through inter-country exchange of knowledge and expertise;

WHEREAS, the governments of the Philippines and the United States of America entered into an agreement to implement the Exchange Visitors Program (EVP) in 1948;

WHEREAS, the EVP Committee was created through Administrative No. 191 dated 3 April 1956 as amended by Administrative Order No. 210 dated 21 March 1970, to coordinate Philippine participation in the EVP;

WHEREAS, there is a need to expand the membership and review the functions of the EVP Committee to make it more responsive to local and international developments affecting the country.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION. 1. Reconstitution of the Exchange Visitors Program Committee. The EVP Committee is hereby reconstituted to be composed of the heads of the following Department/Offices or their duly designated representatives with at least a rank of a Director:

Department of Foreign Affairs	-	Chairman
Department of Health	-	Member
Department of Education, Culture and Sports	-	Member
Department of Labor and Employment	-	Member
Department of Science and Technology	-	Member
National Economic and Development Authority	-	Member
Professional Regulation Commission		
Commission on Higher Education	-	Member
Technical Education and Skills Development Authority	-	Member
Commission on Filipinos Overseas	-	Member
Office of the President	-	Member

SEC. 2. Functions. The Committee shall perform the following functions:

- a. Promulgate rules and regulations to implement the Philippine participation to the Program;
- b. Establish linkages with concerned institutions in the United States which could provide educational and training opportunities for Filipino professional;

-
- c. Provide information and advice to concerned government and private institutions in the Philippines on available training programs;
 - d. Screen, process and evaluate applications of prospective participants to the Program;
 - e. Endorse qualified applicants to appropriate United States host agencies;
 - f. Coordinate and conduct pre-departure and on-site orientation sessions for the participants;
 - g. Develop proposals for incentives schemes and re-entry programs for the participants to facilitate their return to the Philippines to share the skills and expertise they acquired overseas;
 - h. Conduct continuing monitoring and evaluation in compliance with the terms of the program;
 - i. Establish an effective management information system on EVP growth opportunities in the Philippines, and available training programs being offered under the EVP;
 - j. Formulate and recommend policies to the President to ensure the maximum benefits of the Program to the country;
 - k. To collect such administrative fees and charges as may be necessary, just and reasonable to cover the full cost of services rendered consistent with the terms of E.O. 159, dated 23 February 1994, and DOF-DBM Joint Circular No. 02-94 dated 14 November 1994; and
 - l. Perform other functions as may be required by the President.

The Committee shall meet at least once a month.

SEC. 3. Technical and Secretariat Support. The Commission on Filipinos Overseas (CFO) shall provide secretariat support to the Committee and shall assist the Committee in coordinating with appropriate public and private sector representatives on matters pertinent to the Program.

The member-agencies shall designate a specific unit within their respective agencies to render continuing support to the EVP and extend internal resources necessary to carry out the functions of the Committee.

The Committee is authorized to call upon any department, bureau, office, agency, or instrumentality of the government, including government owned and controlled corporations, for such assistance as it may need in the discharge of its functions.

SEC. 4. Funding. Funds necessary to immediately carry out the provisions of this Administrative Order shall be sourced by the Department of Budget and Management from available sources, upon request by the secretariat. Funding requirement in the succeeding fiscal years shall be provided for in the budgetary appropriations of the member-agencies of the Committee.

SEC. 5. Repealing Clause. All orders, issuances or parts thereof inconsistent with this Administrative Order are hereby repealed or modified accordingly.

SEC. 5. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 17th day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 243
CREATING THE MANILA PORT DEVELOPMENT COORDINATING COMMITTEE

WHEREAS, Presidential Decree No. 857 mandates the Philippine Ports Authority with the administration, planning, development, financing and operation of the port zones designated under its control;

WHEREAS, there is a need to relocate some activities within the port zone, particularly along the Pasig River, to more appropriate areas for safety and other purposes;

WHEREAS, the City of Manila desires to integrate certain development proposals located in the Manila Port Zone and anchorage areas;

WHEREAS, there is a need to synchronize and integrate the development plans of the Philippine Ports Authority and City of Manila to accelerate the improvement of the Manila Port Zone;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION. 1. *Creation of the Manila Port Development Coordinating Committee.* There is hereby created a Manila Port Coordinating Committee which shall be responsible for the preparation, integration and program development for the Manila Port Zone. This project shall be considered a priority development project for the City of Manila and the Philippine Ports Authority.

SEC. 2. *Composition.* The Manila Port Development Coordinating Committee shall be composed of representatives of the following:

- | | |
|---|------------|
| 1. The Philippine Ports Authority | - Chair |
| 2. The City of Manila | - Co-Chair |
| 3. The Metropolitan Manila Development Authority | - Member |
| 4. The Department of Transportation and Communications | - Member |
| 5. The Department of Tourism | - Member |
| 6. The Department of Environment and Natural Resources | - Member |
| 7. The Housing and Urban Development Coordinating Council | - Member |
| 8. The National Housing Authority | - Member |
| 9. The Intramuros Administration | - Member |
| 10. The Pasig River Rehabilitation Secretariat | - Member |
| 11. The Tourist Belt Business Association (TBBA) | - Member |

SEC. 3. *Powers, Functions and Responsibilities.* The Committee shall:

- a. Formulate and coordinate proposed plans of the City of Manila for the purpose of harmonizing or integrating the same into the Master Plan for the Port of Manila;

- b. Consider the relocation and establishment of the Manila Financial District along Bonifacio Drive;
- c. Rationalize the utilization and allocation of the area for commercial, tourism and port-related establishment;
- d. Determine, coordinate and plan for the transfer of all government agencies and offices occupying areas in the port zone to an appropriate Government Center within or, as appropriate, outside the port zone;
- e. Recognize the rights of existing lease holders provided that they shall conform with the development plan for the area;
- f. Coordinate with all government agencies concerned for the removal and relocation of all illegal occupants in the area; and
- g. Determine what properties may be made available for the sale to the private sector in accordance with the Development Plan.

SEC. 4. The Committee is hereby authorized to avail of the services of other government agencies, as may be necessary, in the performance of their tasks. The Authority is further authorized to hire Consultants in the preparation of plans and documents for the bidding and in the evaluation of bids for the development of the South Harbor Expanded Port Zone. Funding for the consultancy services shall be charged against the corporate funds of the Authority.

SEC. 5. All Heads of government offices shall cooperate and provide assistance to the Committee as needed.

SEC. 6. The Committee shall submit its report to the President for information and/or action within ninety (90) days hereof, including a timetable for the execution for the plan, which shall be incorporated in the Philippine Ports Authority's 25-Year Master Plan.

SEC. 7. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 18th day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 243-A
AMENDING ADMINISTRATIVE ORDER NO. 243 BY RESETTING THE DEADLINE FOR THE
SUBMISSION OF THE MANILA PORT DEVELOPMENT COORDINATING COMMITTEE'S
(MPDCC) REPORT TO THE PRESIDENT NOT LATER THAN 15 JULY 1996

WHEREAS, Sec. 6 of Administrative Order No. 243 mandated the MPDCC to submit its report to the President for information and/or action within ninety (90) days from 18 January 1996;

WHEREAS, with its voluminous tasks, the MPDCC finds that it needs more time to come up with a comprehensive and meaningful report to the President;

WHEREAS, the MPDCC through its Resolution No. 01-96, dated 10 April 1996, has resolved to request the Office of the President that the deadline for the submission of its report be extended to Mid-July 1996;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby grant a final extension of fifteen (15) days for the submission of the MPDCC report to the President. Accordingly, the MPDCC report shall be submitted not later than 15 July 1996.

DONE in the City of Manila, this 17th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 244

CREATING THE NATIONAL EXECUTIVE COMMITTEE FOR THE PHILIPPINE HOSTING OF
THE APEC MINISTERIAL MEETING ON SUSTAINABLE DEVELOPMENT AND THE APEC
EXPERTS' MEETING ON INNOVATIVE APPROACHES TOWARDS ENVIRONMENTALLY
SUSTAINABLE DEVELOPMENT IN JULY 1996

WHEREAS, the Philippines, following its commitments made during the 1993 APEC summit in Seattle is hosting an APEC Meeting on Creative Financing (including Debt-for-Nature Swap) for Sustainable Development in July 1996;

WHEREAS, the holding of a Ministerial Meeting and Experts' Meeting on sustainable development will boost the Philippine hosting of the July 1996 APEC Summit with the theme "Reinforcing Economic Cooperation Through Deepening and Broadening the Spirit of the APEC Community";

WHEREAS, offering these initiatives as our country's commitment to sustainable development will fully enhance economic and technical cooperation and facilitate trade and investment within the region;

WHEREAS, recognizing that the countries in the Asia-Pacific regions, particularly the APEC member-economies, currently enjoy the highest economic growth rates in the world and that such level of economic prosperity could be secured for the country over the long-term if this were based on sound environmental and sustainable development practices;

WHEREAS, the continued dynamic growth and increasing technical and economic cooperation among APEC member-economies, and the Asia-Pacific region in general, could be adversely affected by environmental degradation caused by unrestrained and environmentally destructive economic practices;

WHEREAS, the APEC Ministerial Meeting on Sustainable Development and APEC Experts' Meeting on Innovative Approaches Towards Environmentally Sustainable Development are important events in terms of soliciting the official commitment of APEC environment and sustainable development concerns into policy-making and economic decision-making processes, thereby creating opportunities for enhanced dialogue and greater cooperation in the future;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. National Executive Committee. A National Executive Committee (NEC) for the July 1996 hosting of the APEC Ministerial Meeting on Sustainable Development (AMMSD) and the APEC Experts' Meeting on Innovative Approaches Towards Environmentally Sustainable Development (AEM-IAESD) is hereby created, to be composed as follows:

- | | |
|---|---------------|
| a. Secretary of Environment and Natural Resources | - Co-Chairman |
| b. Secretary of Foreign Affairs | - Co-Chairman |

-
- | | |
|--|---------------|
| c. Secretary of Socio-Economic Planning | - Co-Chairman |
| d. Secretary of Interior and Local Government | - Member |
| e. Secretary of Science and Technology | - Member |
| f. Secretary of Trade and Industry | - Member |
| g. Secretary of Agriculture | - Member |
| h. Secretary of Budget and Management | - Member |
| i. Secretary of Finance | - Member |
| j. Director-General of the Executive Committee of the
APEC-National Organizing Commission (APEC-NOC) | - Member |
| k. President of the Philippine Chamber of
Commerce and Industry | - Member |
| l. Three (3) NGO/PO Representatives in Philippine Council
for Sustainable Development-Executive Committee | - Members |

The Committee shall have the authority to solicit the participation of all public and private institutions in its work as it may deem necessary and useful in the accomplishment of its objectives.

Sec. 2. Functions. The Committee shall oversee all necessary preparations for, and the actual hosting of, the AMMSD and AEM-IAEASD.

Sec. 3. Secretariat. The Committee shall establish a Secretariat to service its technical and administrative requirements which shall be headed by and located at the DENR.

Sec. 4. Budget. A budget in the amount of FIVE MILLION PESOS (P5,000,000.00) to be sourced from the APEC central fund and released by DBM to DENR, the designated Chair of NEC, is hereby allocated for this purpose.

Sec. 5. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 23rd day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 245
DECLARING IT A POLICY OF THE STATE TO ENCOURAGE PRIVATE SECTOR
PARTICIPATION IN LOW COST HOUSING THROUGH JOINT VENTURES AND BUILD
OPERATE AND TRANSFER SCHEMES

WHEREAS, Executive Order No. 90, series of 1986, identified the government agencies essential for the National Shelter Program and created the Housing and Urban Development Coordinating Council;

WHEREAS, the Housing and Urban Development Council has been tasked to coordinate the activities of the government housing agencies to ensure the accomplishment of the National Shelter Program;

WHEREAS, the attainment of the government's goal of providing every Filipino with affordable and decent shelter can be hastened with the participation of the private sector through joint ventures and build operate and transfer schemes;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Declaration of Policy. It is hereby declared a policy of the State to encourage private sector participation in low cost housing and finance through joint ventures or built operate and transfer schemes.

SEC. 2. Mandate of Coordinating Bodies. Pursuant to Section 1 of Executive Order No. 90, the mandate of the National Housing Authority, National Home Mortgage Finance Corporation, Housing and Land Use Regulatory Board and the Home Financing Corporation to encourage and assist private developers in undertaking low cost housing projects is reiterated and reemphasized.

SEC. 3. Guidelines. Private developers undertaking low cost housing projects through joint venture or build operate and transfer schemes shall be guided by the provisions of Republic Act No. 6957 as amended by Republic Act No. 7718, on the financing, construction, operation and maintenance of infrastructure projects by the private sector.

SEC. 4. Separability. If any provision of this Administrative Order is declared unconstitutional, the remaining provisions shall remain in force.

SEC. 5. Repealing Clause. All laws, orders, issuances, rules and regulations or parts thereof inconsistent with this Administrative Order are hereby repealed or modified accordingly.

SEC. 6. Effectivity. This Administrative Order shall take effect immediately.

Done in the City of Manila, this 23rd day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 246
CONSTITUTING A PRESIDENTIAL COMMITTEE TO ASSIST THE NATIONAL MUSEUM

WHEREAS, the National Museum is an institution of critical importance in the identification and preservation of our national identity and consciousness through its efforts at discovering, preserving, restoring, storing and exhibiting tangible evidence of Philippine history, culture and art;

WHEREAS, the National Museum is in dire need of all the assistance that may be extended to it by the public, and especially the private sector, in order that it may fulfill its mandate more effectively;

WHEREAS, various private individuals, corporations, and other entities, including non-governmental organizations, are in a position to assist the National Museum, financially and in other respects; and

WHEREAS, the collective efforts at rehabilitating and developing the National Museum may best be coordinated with the participation of concerned and relevant government entities.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. **Composition.** - There is hereby constituted under the Office of the President a Presidential Committee to Assist the National Museum, hereinafter referred to as the “Committee”, which shall be composed of:

The Secretary of the Department of Trade and Industry	-	Chairman
An Undersecretary of the Department of Education, Culture and Sports	-	Member
The Executive Director of the National Museum	-	Member
The Executive Director of the National Commission on Culture and the Arts	-	Member

and five (5) private sector representatives who shall be appointed By the President, one (1) of whom shall be designated as co-chairperson, while the other four (4) shall be designated as members.

The Committee may, in addition, invite prominent persons to serve as Honorary Chairperson, Advisers or Consultants, to advise or otherwise participate in the work of the Committee.

The Committee members from the public sector shall serve in their *ex officio* capacities. The Committee members from the private sector shall continue to serve until their successors, also from the private sector, shall have been appointed by the President.

Section 2. **Functions.** - The Committee shall undertake the following:

- a. Formulate a comprehensive strategy or plan for the rehabilitation, development, and operation of the National Museum, consistent with its purposes, and which will harness the collective strength of the government and private sectors, and submit the same to the President for approval;

- b. Undertake, implement, coordinate and monitor fund-raising projects, programs and activities pursuant to the said strategy or plan, to finance the rehabilitation and development of the National Museum;
- c. Establish such working sub-committees as may be necessary, and invite the members thereof from the government and private sectors; and
- d. Perform such other functions as the President may direct.

Section 3. **Secretariat.** - The Department of Trade and Industry shall initially provide the Secretariat of the Committee until such time that the Committee has organized its own technical and administrative support from officers and employees of the government departments or agencies, and other personnel from the private sector as the Committee may deem fit.

Section 4. **Funding.** - The Committee shall be allocated such amounts from the President's Contingent Fund as may be determined By the President. Thereafter, all funding requirements of the Committee shall be raised by it from its fund raising projects, donations, grants, or contributions.

Any and all monies raised by the Committee through its fund raising activities, including contributions, grants, donations, financial assistance and the like, shall be retained by it and shall partake of the nature of a trust fund, to be deposited in the Committee's account with any government or private bank of its choice.

The management, utilization and disposition of the Committee's funds raised by it through its fund-raising activities shall be the exclusive prerogative and responsibility of the Committee, provided that such funds shall be solely used and devoted to carry out or accomplish the Committee's purposes and objectives. The Committee shall separately account for funds received from the President's Contingent Fund and funds received from its fund-raising activities. Funds received from the President's Contingent Fund shall be subject to audit by the Commission on Audit. Funds received from fund raising activities, including contributions, grants, donations and financial assistance and the like, shall be subject to periodic audit by a reputable accounting firm.

Section 5. **Support.** - The Committee may call upon any government department, agency or instrumentality, including government-owned or controlled corporations and their subsidiaries, for any assistance that it may need in the pursuit of its purposes and objectives and the implementation of its programs and activities. Similarly, the Committee may call upon non-government organizations, institutions and corporations, as well as private entities and persons, for such support. Contributions, grants, donations or other financial assistance to the Committee shall be entitled to, in accordance with and subject to compliance with the requirements of the pertinent provisions of the National Internal Revenue Code, deduction for income tax purposes of the donor.

Section 6. **Reportorial Requirements.** - The Committee shall submit to the President for his approval, within six months from the effectivity of this Order, its Comprehensive Plan for the Rehabilitation and Development of the National Museum, including financial estimates. Thereafter, the Committee shall submit a progress report to the President at the end of each fiscal year.

Section 7. **Life of the Committee.** - This Administrative Order shall take effect immediately. The Committee shall be an *ad hoc* advisory body and its existence shall be at the discretion and pleasure of the President, and in any case shall cease upon the completion of all activities and projects undertaken by it in the pursuit of its purposes and objectives, as may be reported by the Committee and as may be decided upon by the President.

DONE in the City of Manila, this 26th day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

ADMINISTRATIVE ORDER NO. 246-A

Based on the records available on file and in the possession of Malacañang Records Office, Administrative Order No. 246-A of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2016). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 246-B
AMENDING ADMINISTRATIVE ORDER NO. 246-A BY INCREASING THE MEMBERSHIP OF
THE PRIVATE SECTOR REPRESENTATIVES

WHEREAS, a Presidential Committee to Assist the National Museum was constituted under Administrative Order No. 246, series of 1996;

WHEREAS, Section 1 of Administrative Order No. 246 provided for the appointment of five (5) private sector representatives to the committee;

WHEREAS, Administrative Order No. 246-A, series of 1996 increased to six (6) the private sector representatives to the committee;

WHEREAS, there is a need to further increase the membership of the private sector representatives to the Committee to fast-track the rehabilitation and development of the National Museum.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby amend Administrative Order No. 246-A, series of 1996, by increasing from six (6) to eight (8) the private sector representatives to the Presidential Committee to Assist the National Museum, one of whom shall be the President of the Cabinet Ladies Foundation.

DONE in the City of Manila, this 21st day of February, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 247

AMENDING ADMINISTRATIVE ORDER NO. 227 DATED 23 NOVEMBER 1995,
CONSTITUTING A NATIONAL COMMITTEE FOR THE COMMEMORATION OF THE
TENTH ANNIVERSARY OF THE FEBRUARY 22 - 25, 1986 EDSA REVOLUTION

WHEREAS, Administrative Order No. 227 dated 23 November 1995 constituted a National Committee for the Commemoration of the Tenth Anniversary of the February 22 - 25 EDSA Revolution to plan and organize the activities for the celebration;

WHEREAS, there is a need for additional government and private sector members in the committee to ensure and mobilize greater support and participation for the EDSA celebration;

WHEREAS, the Committee requires additional financial, technical and secretariat assistance given the magnitude of the sectors and activities to be coordinated; and,

WHEREAS, there is a need for an exhibition highlighting the best in the Filipino which may be projected to international communities and to link the celebrations with the Centennial.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Section 1 of Administrative Order No 227 is hereby amended to read as follows:

“SECTION. 1. Composition. The Committee shall be composed of Mr. Jose Concepcion, Jr. as Chairman, Interior and Local Government Secretary Rafael Alunan III as Co-Chairman and the following as members:

Representatives from the NGOs/Business Community:

1. Ms. Victoria Garchitorena
2. Mr. Jose Alejandro
3. Mr. Octavio Espiritu
4. Mr. Manolo Lopez
5. Mr. Christopher Carreon
6. Ms. Denise Manosa
7. Mr. Jose Escaner
8. Mr. Lito Lorenzana
9. Monsignor Socrates Villegas
10. Mr. Vicente Jayme
11. Mr. Felipe Cruz, Jr.
12. Mr. David Consunji
13. Mr. Alberto Manlapid
14. Mr. Perfecto F. Quicho

15. Ms. Tina Monzon-Palma
16. Mr. Norberto Gonzales
17. Ms. Maria Montelibano
18. Ms. Patricia C. Sison
19. Mr. Cesar Buenaventura
20. Mr. Jaime Augusto Zobel
21. Mr. Alran Bengzon
22. Mr. Christian Monsod
23. Mr. Jesus Ayala
24. Fr. Nico Bautista
25. Bishop Teodoro Bacani
26. Ms. June Keithley
27. Mr. Antonio de los Reyes
28. Ms. Tita de Villa
29. Mr. Andres Soriano III
30. Ambassador Miguel Perez-Rubio
31. Mr. Rodolfo Reyes
32. Ms. Cecille Guidote Alvarez
33. Ms. Narzalina Lim
34. Mr. Miguel Belmonte
35. Mr. Jose Avellana, Jr.
36. Mr. Rafael Lopa
37. Sr. Luz Emmanuel
38. Mr. Jose Antonio Gonzalez
39. Ms. Paulyn Sicam

Representatives from the Government Sector:

40. Secretary Domingo Siazon, Department of Foreign Affairs
 41. Secretary Gregorio Vigilar, Department of Public Works and Highways
 42. Secretary Renato de Villa, Department of National Defense
 43. Secretary Salvador Enriquez, Department of Budget and Management
 44. Secretary Ernesto Garilao, Department of Agrarian Reform
 45. Secretary Rizalino Navarro, Department of Trade and Industry
 46. Secretary Roberto de Ocampo, Department of Finance
 47. Secretary Ricardo Gloria, Department of Education, Culture and Sports
 48. Secretary Leonardo Quisumbing, Department of Labor and Employment
 49. Secretary Eduardo Pilapil, Department of Tourism
 50. Chairman Dionisio dela Serna, Cabinet Officer for Regional Development-
National Capital Region
 51. Chairman Angel Alcala, Commission on Higher Education
 52. Chairperson Amina Rasul-Bernardo, National Youth Commission
 53. Undersecretary Leonora Vasquez-de Jesus, Head, Presidential Management
Staff
 54. Chairman Prospero Oreta, Metropolitan Manila Development Authority
 55. Mayor Ismael Mathay, Jr.
-

56. Administrator Jose Rufino, Livelihood Corporation
57. Undersecretary Honesto Isleta, Philippine Information Agency
58. Chairman Alfredo Antonio, Development Bank of the Philippines
59. Vice-Chairman Rogelio Singson, Bases Conversion Development Authority
60. Director Serafin Quiazon, National Historical Institute
61. Chairperson Imelda Nicolas, National Commission on the Role of Filipino Women
62. Director-General Jose Lacson, Technical Education and Skills Development Authority
63. Mayor Benjamin Abalos, Chairman, Metro Manila Peace and Order Council
64. Director-General Bren Guiao, KABISIG People's Movement-National Operations Center

Mr. Jose de Jesus and Social Security System Administrator Renato Valencia, former Chairpersons of the National Committee for the commemoration of the 9th Anniversary of the EDSA Revolution, shall serve as advisers to the Committee.”

SEC. 2. Sec. 3 of Administrative Order No. 227 is hereby amended to read as follows:

“**SEC. 3. Staff Support.** The KABISIG People's Movement National Operations Center (KPM-NOC) and the Department of Interior and Local Government shall provide the technical and secretariat support to the Committee. The Heads of departments, agencies, government owned and controlled corporations and other government instrumentalities are directed to give full support to the Committee and its various working Committees and to actively participate in the said celebrations”.

SEC. 3. Sec. 4. of Administrative Order No. 227 is also amended to read as follows:

“**SEC. 4. Funding.** The Secretary of Budget and Management is hereby directed to allocate the amount of FIVE MILLION PESOS (P5,000,000.00) to support the Committee and its various working committees to be sourced from the President's Contingent Fund. Concerned agencies may allocate such amounts as may be necessary to defray the expenditures that may be incurred from participation in the EDSA anniversary, subject to the usual accounting and auditing procedures.”

SEC. 4. A new section, SEC. 5 is added to the Administrative Order, as follows:

“**SEC. 5. Year-Round Exhibit.** The Department of Trade and Industry is hereby enjoined to enhance and expand its existing year-round exhibit to highlight the best in the Filipinos.”

This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 30th day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 248

PROVIDING FOR THE CREATION OF A SPECIAL TASK FORCE TO OVERSEE THE IMPLEMENTATION OF THE SOCIAL MEASURE COMPONENT OF THE CASECNAN MULTI-PURPOSE IRRIGATION AND POWER PROJECT (SMC-CMPIPP)

WHEREAS, the improvement of agricultural production and power generation capability is among the primordial development thrusts of the National Government;

WHEREAS, the National Irrigation Administration has found that the run-off waters of the Taang and Cagayan Rivers, the uppermost tributaries of the Cagayan Rivers, could be tapped to irrigate 50,000 hectares of farmlands in Central Luzon and at the same time generate 140 MW of power;

WHEREAS, the project is one of the identified priority power generation projects of the administration and is envisioned for implementation under the Build-Operate-Transfer Scheme;

WHEREAS, the project design was subjected to several public consultations primarily to establish its social acceptability and to reassure the affected localities that it would have no adverse effects to their environment and indigenous culture;

WHEREAS, the implementation of the Casecnan Multipurpose Project further underscored the need for protection of its watershed areas which are the ancestral domain of the Bugkalots, an indigenous tribe of Nueva Vizcaya, Quirino (Region 02) and Aurora (Region 04);

WHEREAS, the indigenous Bugkalot community and the Provincial Development Councils of Nueva Vizcaya, Isabela, Quirino and Cagayan have endorsed the implementation of the CMPIPP in support of the food-production and improved-power-generation-capability programs of the government;

WHEREAS, a Social Measure component of the project was identified in CORD-RDCC Meeting on June 27, 1995 as essential to the social acceptability of the CMPIPP for which the Regional Development Council of Region II has identified fast-tracking intervention on on-going and proposed infrastructure projects in Region II;

WHEREAS, in response to an earlier call for focused attention to the twenty demands of the affected communities within the Bugkalot territory (**ANNEX 2**), a Plan of Action has been formulated by an Ad Hoc Inter-agency Committee created by the Region II Peace and Order Council last May 1995; and

WHEREAS, after completion of its task to formulate an Action Plan for Bugkalots, the Committee has since been dissolved.

NOW, THEREFORE, I FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law do hereby order the Creation of a Special Task Force to Oversee the Implementation of the Social Measure Component of the Casecnan Multi-Purpose Irrigation and Power Project (CMPIPP) with the following composition and functions:

SECTION 1. Composition. The Inter-agency Special Task Force shall be composed of the following:

Chairman : RDC II Chairperson

Members :

- 1.1 RDC II Co-Chairman
- 1.2 NEDA Regional Director
- 1.3 Representative from Catholic Clergy Region II
- 1.4 Over-all Chairman of the Confederation of Bugkalots from Nueva Vizcaya, Quirino and Aurora
- 1.5 ONCC Deputy Executive Director
- 1.6 NIA Regional Administrator
- 1.7 NPC Regional Director
- 1.8 DENR Regional Executive Director
- 1.9 DA Regional Director
- 1.10 DPWH Regional Director
- 1.11 DILG Regional Director
- 1.12 DOLE Regional Director
- 1.13 DOH Regional Director
- 1.14 DSWD Regional Director
- 1.15 DECS Regional Director
- 1.16 PNP Regional Director
- 1.17 DTI Regional Director
- 1.18 President-Bugkalot Association on Casecnan Concerns
- 1.19 California Energy Casecnan Water and Energy Company, Inc. (CECWECI)

SECTION 2. Functions:

2.1 The Special Task Force shall coordinate and monitor the implementation of the following Social Measure Component of the CMPIPP as earlier approved by RDC II in its **Resolution No. 326-95, hereby attached as ANNEX 1.**

- a) Package of Social Measures in Response to the Twenty Demands of the Bugkalots Tribe forwarded to the Office of the President in March 1995. The list of the twenty demands of the Bugkalots appears as **ANNEX 2.**
- b) Implementation of Priority Infrastructure Projects of Region II; and
- c) Development, Protection and Management of Priority Watershed Areas of Region II.

SECTION 3. Secretariat. The Regional Office of the Northern Cultural Communities (ONCC) in Bambang, Nueva Vizcaya shall serve as the Secretariat of this Special Task Force with the ONCC Sr. Deputy Executive Director as head of the Secretariat and concurrently member of the Special Task Force.

SECTION 4. Funding. The funding of the programs, projects and activities to implement this Order shall come from (a) the agencies whose mandates are consistent with the formulated Plan of Action; and (b) the President's Contingency Fund in the amount of P30 million for the initial year 1996 and subsequent amounts to be submitted to the Office of the President by the Task Force Secretariat

on an annual basis for at least 5 years; and (c) any other Fund as the President may authorize. The release of this fund shall be in close coordination with the Department of Budget and Management and the Secretariat of the Special Task Force, subject to the usual accounting and auditing rules and regulations. Appropriate guidelines of the disbursement of the Fund will be prepared by the Special Task Force Secretariat.

SECTION 5. Term of the Committee. The Committees shall cease to exist six months after the completion of CMPIPP.

SECTION 6. Effectivity. The Administrative Order shall take effect immediately.

DONE in the City of Manila, this 1st of February, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

References: Annex 1 and Annex 2

Source: Malacañang Records Office

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 248-A

AMENDING ADMINISTRATIVE ORDER NO. 248, DATED 01 FEBRUARY 1996, CREATING THE SPECIAL TASK FORCE TO OVERSEE THE IMPLEMENTATION OF THE SOCIAL MEASURE COMPONENT OF THE CASECNAN MULTI-PURPOSE IRRIGATION AND POWER PROJECT (SMC-CMPIPP)

WHEREAS, the President issued Administrative Order No. 248 entitled “Providing for the Creation of a Special Task Force to Oversee The Implementation Of The Social Measure Component Of The Casecnan Multi-Purpose Irrigation And Power Project (SMC-CMPIPP)” which focuses on the Bugkalots of Region II;

WHEREAS, the Department of Agriculture (DA) in coordination with other concerned agencies have been constituted as the Casecnan Social Measure Task Force (CSMTF) through a Memorandum from the President dated 01 February 1996 primarily to formulate an implementation plan to prioritize social measures in response to the demands of the Bugkalots Tribe;

WHEREAS, there is need to ensure complementarity of efforts between the two bodies to optimize the utilization and allocation of government resources to effectively address the concerns of the Bugkalot tribes and the communities that may be affected by the Casecnan Multi-Purpose Irrigation Project;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the creation of a Special Task Force to oversee the implementation of the Social Measure Component of the Casecnan Multi-Purpose Irrigation and Power Project (SMC-CMPIPP) with the following amended composition and functions:

SECTION 1. *Designation of the Casecnan Social Measure Task Force as Over-All Planning and Coordinating Body.* The Casecnan Social Measure Task Force constituted through a Memorandum dated 1 February 1996 is hereby designated as the over-all planning and coordinating body for the implementation of social measure components for the Casecnan Multi-Purpose Irrigation and Power Project (CMPIPP). It shall be Chaired by the Secretary of Agriculture and shall have as its members the original composition of the CSMTF and, in addition, the chairperson and members of three (3) Technical Working Groups enumerated in Section 2 of this A.O.

SEC. 2. *Designation of Special Task Force created by AO No. 248 into Technical Working Groups of the Casecnan Social Measure Task Force.* The Special Task Force created in AO No. 248 is hereby reconstituted and designated as the Technical Working Group (TWG) of the Casecnan Social Measure Task Force (CSMTF) to address specific concerns of communities affected by the CMPIPP. Three Technical Working Groups shall be formed to address these concern, namely: a) Ancestral Domain; b) Comprehensive Social Services, and c) Ecological Conservations and Other Services. The TWGs shall conduct technical studies and develop recommendations of the implementation of the social measure

components for the Casecnan project in Region II, and shall submit quarterly accomplishment reports and other inputs as may be necessary to the CSMTF.

A. Technical Working Group for Ancestral Domain

1. Chairman, Executive Director, Office of Northern Cultural Communities (ONCC);
2. Co-Chairman, Chairman, Regional Development Council, Region II;
3. Regional Executive Director, Department of Environment and Resources (DENR);
4. Regional Director, Department of Agrarian Reform;
5. Representative of the Catholic Clergy, Region II;
6. President, Bugkalot Association on CASECNAN Concerns (BACC);
7. Regional Director, Philippine National Police (PNP);
8. Representative of the Association of Certificate of Ancestral Domain Claim Holders

B. Technical Working Group for Social Services

1. Chairman, Regional Director, Department of Social Welfare and Development (DSWD);
2. Regional Director, Department of Education, Culture and Sports (DECS);
3. Regional Director, Department of Health (DOH);
4. Regional Director, Department of Labor and Employment (DOLE);
5. Regional Director, National Economic Development Authority (NEDA);
6. Regional Director, Department of Trade and Industry (DTI)
7. Chairman, Confederation of Bugkalots of Nueva Viscaya, Quirino and Aurora;

C. Technical Working Group for Ecological Conservation and Other Services

1. Chairman, Regional Executive Director, Department of Environment and Natural Resources (DENR);
2. Regional Director, Department of Agriculture (DA);
3. Regional Director, Department of Public Works and Highways (DPWH);
4. Representative of the California Energy CASECNAN Water and Energy Co., Inc. (CECWECI);
5. Regional Director, Department of Interior and Local Government (DILG);
6. Area Manager, National Power Corporation (NPC);
7. Regional Irrigation Manager, National Irrigation Administration (NIA);
8. Representative of the Christian Alliance for Peace of the Ilongot Area (CAPIA);

The members of the Technical Working Groups shall be entitled to one vote each. Provided, however, that the non-government organizations represented by the Bugkalots shall be composed of four (4) members but with only one vote per organization.

SEC. 3. *Secretariat.* The Department of Agriculture shall provide the Secretariat for the CSMTF to be headed by an official of the said department.

SEC. 4. *Funding.* The funding for the programs, projects and activities that shall be identified in the implementation plan to be formulated by the CSMTF to prioritize the social measure to be undertaken in response to the demands of the Bugkalot Tribes and other affected communities shall come from: (a) appropriations of the agencies whose mandates are consistent with the implementation plan; and (b) annual budget for the CSMTF to be prepared by its Secretariat.

The P30 million provided in AO No. 248 from the President's Contingent Fund, which is allocated for the initial year 1996, shall be released in coordination with the Department of Budget and Management and the CSMTF Secretariat subject to usual accounting and auditing rules.

SEC. 5. *Guidelines.* The CSMTF shall prepare the appropriate guidelines for the project.

SEC. 6. *Saving Clause.* All other provisions of Administrative Order No. 248, series of 1996, which are not inconsistent with his Administrative Order shall remain in full force and effect.

SEC. 7. *Effectivity.* This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 3rd day of July, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 249

**IMPOSING THE PENALTY OF SUSPENSION OF NINE (9) MONTHS WITHOUT PAY ON
EXECUTIVE DIRECTOR ELSA BAYANI AND DEPUTY EXECUTIVE DIRECTOR ASUNCION
MACALALAG OF THE NATIONAL NUTRITION COUNCIL (NNC)**

This is an administrative case filed by Engelbert R. Kho Yute, Accountant III, against Executive Director Elsa Bayani, Deputy Executive Director Asuncion Macalalag and Finance Management Officer II Angelito G. Ramos, all of the National Nutrition Council (NNC), for various offenses involving the use and management of funds of the NNC.

In its Resolution, The Presidential Commission Against Graft and Corruption (Commission) found the following:

“On Charge No. 1: - Misuse and/or illegal use of public funds for the salaries, etc. of contractual employees.

Complainant’s actual charge is diversion of funds. The *respondents could not show any evidence purporting to be the approval by the Department of Budget and Management of the diversion*. The 1st indorsement dated February 15, 1990 from the Civil Service Commission finding the need to hire contractual employees subject to the availability of funds and related COA auditing rules, *did not include the required DBM approval for re-alignment of funds for personal services*. (italics supplied)

On Charge No. 2: - On the alleged illegal and/or unlawful deposit/disbursement of UNICEF donated funds -

The bone of contention on this issue is whether the funds called by the complainant as “donations” are “trust receipts” as claimed by the respondents.

It is clear that the General Appropriations Act of 1989, 1990 and 1991 invariably refer to the funds as trust receipts. The apparent objection of complainant is on the deposit of a portion of said funds with a depository bank, the PNB, claiming that the entire fund should have been deposited with the National Treasury. The General Appropriation Act provides that the receipts shall be deposited in an authorized government depository bank or in the National Treasury (Sec. 4 thereof earlier quoted).

Complainant, in an attempt to bolster his contention that this is not so, submitted in evidence a COA Circular (82-188), dated June 15, 1982. A perusal of said Circular, however, shows that the subject is “guidelines in the countersigning of checks/warrants issued to withdraw from trust receipts deposited with authorized government depository banks or the National Treasury”. The aforequoted subject

of the Circular is by itself evidence that the National Treasury is not the lone depository as it allows deposit with authorized government depository banks.

If only to put this issue at rest, respondents submitted a letter dated September 6, 1989 of then Secretary of Agriculture Carlos G. Dominguez addressed to the PNB Branch FTI, Taguig, Metro Manila, requesting the latter for the opening of a Combo Account under the account title “NNC/UNICEF URBAN LAKASS (Lalakas ang Katawang Sapat sa Sustansiya)”. Assuming *arguendo*, that the act is offensive to the circular/guidelines pointed to by complainant, the herein respondents would be blameless because the responsibility would rest squarely on the shoulders of then Secretary of Agriculture Dominguez.

Charge No. 3: - Payments in advance to certain contractors. Complainant’s evidence consist of contracts entered into between NNC and various contractors wherein said contracts stipulate several payments. The contract with Psycom Resource Planners, Inc. reveals that, indeed, there was advance payment, i.e., 15% (P187,500) upon signing of contracts, 35% (P437,500) upon submission of June 1989 (Certificate of Performance (CP), 25% (P312,500) upon submission of July 1989 CP. The Commission notes that this is violative of Sec. 88 of P.D. No. 1445 which provides as follows:

Sec. 88. Prohibition against advance payment on government contracts. - The government shall not be obliged to make an advance payment for services not yet rendered or supplies and materials not yet delivered under any contract therefor. No payment, partial or final, shall be made on any such contract except upon a certification by the head of the agency concerned to the effect that the services or supplies and materials have been rendered or delivered in accordance with the terms of the contract and have been duly inspected and accepted.”

Charge No. 4: - Payment of expenses which do not promote public welfare -

The amounts involved were insignificant that the respondents’ explanation that they were tokens of the agency’s appreciation to Secretary Dominguez for his substantial contribution to the NNC’s cause, is well-taken.

Charge No. 5: - Entering into contracts without the Certificate of Availability of Funds: - The Commission notes that the of *respondents could produce only three (3) Requests for Allocation Allotment* (EDCOM Construction, Marcial Narvaez and Las Brisas Hotel) *and could not submit evidence for the other contracted firms* (Kiangnan Youth Hotel, Villa Pansol Hot Spring, Marfida Uy). (italics supplied)

Charge No. 6: - Misuse/misappropriation of P33,230.00 of NAFC trust to pay for board and lodging of Mrs. Elsa Bayani.

The Commission also notes that the *respondents did not meet the issue squarely in this charge. Their averment that the seminar in question was in connection with the LAKASS program is insufficient explanation.* (italics supplied)

Charge No. 7: - Entering into contract with 39 state colleges/universities -

The pertinent rule (Sec. 64 P.D. 1177) indicates that there are certain requisites for contracting the services outside the NNC, and these are:

- a. The contracts shall be for specific services;
- b. Said services cannot be provided by the regular staff or agency; and
- c. The contracts shall be for a specific period of time, with a definite expected output.

The respondents proved that the above requisites were met. Moreover, the Workshop, which was related to the LAKASS program was conducted on a nationwide basis involving 14 regional centers. Contracting with the state colleges/universities was not only justified but cost-saving.

Charge No. 8: - Splitting of Vouchers: -

The Commission is convinced that there was no splitting of vouchers involved.

Charge No. 9: - Entering into negotiated contracts without public bidding. -

The contract that conspicuously is involved in this charge is that entered into with Psycom Planners, Inc. (consideration: ₱1.250 million) where, indeed, no public bidding was done. But this is a negotiated contract where the Secretary can enter into as allowed by Sec. 2 of Executive Order No. 301, s. of 1987. The contract in question was signed by then Secretary Dominguez.

x x x

Of the nine (9) charges, complainant could prove only Charges 1 and 3 as above-indicated. However, in Charge 3, it appears that the contract was signed and executed by then Secretary Carlos Dominguez. In both cases, the government did not actually suffer any loss.”

After a careful review of the evidence on record, this Office finds that respondents committed the following administrative offenses:

- a. Realigned funds without the required DBM approval;
- b. Entered into six (6) contracts without the required Certificates of Availability of Funds. They merely submitted evidence of Requests for Allocation Allotment for only three of the contracts they entered into; and
- c. Charged the expenses of their April 1991 Team Building Seminar against the NAFC Trust Fund in violation of 84(2) of P.D. 1445. There was no programmed amount in the 1991 work and financial plan of the LAKASS project for the team building workshop. The Commission finds that respondents failed to meet the issue squarely and noted that the explanations they advanced were insufficient.

Regarding the advance payments made to certain contractors on Charge No. 3, the same were in violation of Sec. 88, P.D. No. 1445. However, it appears that the contract was signed and executed not by respondents but by then Secretary Carlos Dominguez.

The fact that the government did not suffer any loss from the infractions committed by respondents, as found by the Commission, is of no moment. Respondents committed acts constituting incompetence and inefficiency in the performance of official duties and conduct grossly prejudicial to the best interest of the service punishable under the provisions of the Omnibus Rules Implementing Book V of E.O. No. 292.

IN VIEW OF THE FOREGOING, this Office hereby adopts the findings of the Presidential Commission Against Graft and Corruption. Respondents Executive Director Elsa Bayani and Deputy Executive Director Asuncion Macalalag are each SUSPENDED FOR NINE (9) MONTHS WITHOUT PAY.

DONE in the City of Manila, this 2nd day of February, in the year of Our Lord, Nineteen Hundred and Ninety Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 249-A

AMENDING ADMINISTRATIVE ORDER 249 SERIES OF 1996, BY REDUCING THE PENALTIES IMPOSED ON EXECUTIVE DIRECTOR ELSA BAYANI AND DEPUTY EXECUTIVE DIRECTOR ASUNCION MACALALAG FROM NINE (9) MONTHS SUSPENSION TO ONE (1) MONTH SUSPENSION WITHOUT PAY

This is a resolution of the motion filed by Executive Director Elsa Bayani and Deputy Executive Director Asuncion Macalalag, officials of the National Nutrition Council, seeking the reconsideration of Administrative Order No. 249, dated 2 February 1996, which declared them guilty of the following offenses:

- a. Realigning funds without the required DBM approval;
- b. Entering into six (6) contracts without the required Certificates of Availability of Funds;
- c. Charging the expenses of their April 1991 team building seminar against the NAFC Trust Fund, in violation of Section 84 (2) of P.D. 1445;

and imposed on each of them the penalty of suspension for nine (9) months without pay.

After a thorough review of the records in the instant case, this Office finds that while the respondents failed to strictly adhere to the applicable laws and regulations, there was, however, substantial compliance thereto. In addition, we acknowledge that except for this case, the long government service of the respondents has not, heretofore, been tainted with any anomaly or wrongdoing.

In view of the foregoing, this Office hereby modifies its earlier decision by reducing the penalty imposed upon each of them by AO 249, series of 1996, from nine (9) months suspension to thirty (30) days suspension without pay. Respondents are cautioned that a repetition of their infractions, or the commission of acts similar thereto, will be dealt with more severely. Commensurate to the positions they occupy, respondents are at all times, expected to be precise and diligent in the exercise of their duties and functions. Nothing less will satisfy the stringent requirements of our laws on disbursement and accounting of public funds.

DONE in the City of Manila, this 16th day of May, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By authority of the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 250

AMENDING SECTION 3 OF ADMINISTRATIVE ORDER NO. 86, SERIES OF 1993 BY
TRANSFERRING THE SECRETARIAT OF THE NATIONAL CREDIT COUNCIL (NCC) TO THE
DEPARTMENT OF FINANCE

WHEREAS, under Section 3 of Administrative Order No. 86, which took effect on October 8, 1993, the Land Bank of the Philippines was designated as the Secretariat to the National Credit Council (NCC) created under said Administrative Order;

WHEREAS, pursuant to the findings of the Philippine Institute for Development Studies (PIDS), which conducted a study on the capabilities and activities of the NCC, the Land Bank of the Philippines is not the most appropriate agency to act as the Secretariat due to its active involvement in credit delivery;

WHEREAS, under Executive Order No. 127, dated January 30, 1987, the Department of Finance has been mandated to manage the financial resources of government in a manner supportive of development objectives;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby amend Section 3, Administrative Order No. 86, Series of 1993, by transferring the Secretariat of the National Credit Council (NCC) from the Land Bank of the Philippines to the Department of Finance.

This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 6th day of February, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 251
CREATING A SUB-COMMITTEE ON CULTURAL EXHIBITION UNDER THE
COORDINATING COMMITTEE FOR THE CONDUCT OF A PHILIPPINE EXPOSITION IN
PRINTEMPS, FRANCE IN 1996

WHEREAS, the Philippine Government has decided to hold a Philippine Solo Exposition in Printemps, France in 1996;

WHEREAS, among others, the exposition aims to heighten the awareness of Europeans on Philippine history and culture;

WHEREAS, a Coordinating Committee for the conduct of said Exposition has been created through Administrative Order No. 220, which provided for the inclusion of private sector representatives to be appointed by the President;

WHEREAS, it is necessary to create a Sub-Committee on Cultural Exhibition which will function under the Coordinating Committee.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Sub-Committee on Cultural Exhibition. A Sub-Committee on Cultural Exhibition is hereby created under the Coordinating Committee for the conduct of the Philippine Exposition in Printemps, France in 1996, to be composed of the following:

- | | |
|---|------------|
| a. Secretary of Foreign Affairs | - Chairman |
| b. Representative, Department of Trade and Industry/CITEM | - Member |
| c. Representative, Department of Tourism | - Member |
| d. President, Cultural Center of the Philippines | - Member |
| e. Executive Director, National Museum of the Philippines | - Member |
| f. Administrator, Intramuros Administration | - Member |
| g. Representative, Bangko Sentral ng Pilipinas | - Member |
| h. Executive Director, Nayong Pilipino Foundation | - Member |
| i. President, Katutubong Filipino Foundation | - Member |

SEC. 2. Functions of the Sub-Committee. The Sub-Committee shall have the following functions and responsibilities:

- Coordinate with Printemps in setting up the Cultural Exhibition;
- Coordinate with museums and private collectors regarding artifacts and other materials to be exhibited;
- Execute relevant contracts with lending museums and other private collectors to ensure the safety and protection of artifacts and materials borrowed. In

this connection, the Secretary of Foreign Affairs is hereby authorized to sign contracts vis-a-vis government museums and Printemps and the Executive Director of the National Museum vis-a-vis private collectors; and

d. Execute contracts with Printemps to ensure the safety and protection of Philippine artifacts and materials through adequate measures, including security and insurance.

SEC. 3. Secretariat. The Sub-Committee shall have a Secretariat which will be based at the Department of Foreign Affairs.

SEC. 4. Term of the Sub-Committee. The Sub-Committee shall be co-terminus with the Coordinating Committee for the Printemps Philippine Exposition.

SEC. 5. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 12th day of February, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 252
AMENDING THE DATE OF EXPIRY OF THE COORDINATING COMMITTEE FOR THE
CONDUCT OF A PHILIPPINE EXPOSITION IN PRINTEMPS, FRANCE IN 1996

WHEREAS, the Philippines is desirous to conduct a Philippine Exposition in Printemps, France to promote Philippine products, arts, history, and culture;

WHEREAS, Administrative Order No. 220 was issued on October 3, 1995, which provided for the creation of a Coordinating Committee, whose term shall expire in April 1996;

WHEREAS, the schedule of the Exposition has been moved to April 1996, instead of the original date of March 1996;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order that the term of expiry of the Coordinating Committee for the conduct of a Philippine Exposition in Printemps, France be extended until the last day of July 1996.

This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 12th day of February, in the year of Our Lord, Nineteen Hundred and Ninety Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 253

CREATING AN EXECUTIVE COMMITTEE TO OVERSEE THE PHILIPPINE HOSTING OF
THE 20TH SESSION OF THE INTERNATIONAL TROPICAL TIMBER COUNCIL (ITCC) TO BE
HELD FROM 15 TO 23 MAY 1996

WHEREAS, the Philippines has been an active member of the International Tropical Timber Organization (ITTO) since its accession to the 1983 International Tropical Timber Agreement (ITTA);

WHEREAS, continued membership in the ITTO will provide an effective framework for consultation to promote non-discriminatory timber trade practices as well as the expansion and diversification of international trade in tropical timber from sustainable sources. It will also improve the market intelligence and information sharing for greater transparency in the international timber market, and promote increased and further processing of tropical timber from sustainable sources;

WHEREAS, as member of the ITTO, the Philippines is scheduled to host the 20th Session of the International Tropical Timber Council from 15 to 23 May 1996;

WHEREAS, there is a need for a Committee to oversee the physical arrangements and technical preparations necessary for the said Conference;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Creation of an Executive Committee. An Executive Committee, hereinafter referred to as the “Committee”, is hereby created to oversee the physical arrangements and technical preparations for the Philippine hosting of the 20th Session of the International Tropical Timber Council.

SEC. 2. Composition. The Committee shall be co-chaired by the Secretary of Environment and Natural Resources and the Secretary of Foreign Affairs with the following as Members:

1. Undersecretary, Department of Tourism (DOT)
2. President, Philippine Wood Producers Association (PWPA)
3. Undersecretary, Department of Science and Technology (DOST)
4. Undersecretary, Department of Finance (DOF)
5. Undersecretary, Department of Justice (DOJ)
6. Undersecretary, Department of Public Works and Highways (DPWH)
7. Undersecretary, Department of Interior and Local Government (DILG)
8. General Manager, Ninoy Aquino International Airport (NAIA)
9. Director, Philippine Convention and Visitors Corporation (PCVC)

SEC. 3. Functions. The Committee shall have the following duties and functions:

- ☐ oversee the preparations (physical and technical) needed for the country's hosting of the 20th Session of the International Tropical Timber Council;
- ☐ coordinate among themselves the necessary arrangements and networking during the preparations for the Conference.

The Committee may create such sub-committees as may be necessary to ensure the efficient performance of its tasks.

SEC. 4. Secretariat. The DENR shall provide technical and administrative staff support to the Committee.

SEC. 5. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 12th day of **February**, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 254
CONSTITUTING A PHILIPPINE HOST COMMITTEE FOR THE 1996 WORLD AMATEUR
GOLF TEAM CHAMPIONSHIPS

WHEREAS, the Philippines won the bid to host the 1996 World Amateur Golf Team Championships, referred to as the World Golf Championships, to be held at the Sta. Elena Golf & Country Club (Ladies) on November 7-10, 1996 and at the Manila Southwoods Golf & Country Club (Men) on November 14-17, 1996;

WHEREAS, hosting the World Amateur Golf Team Championship is a signal honor to the country and the Filipino people;

WHEREAS, the holding of the said golfing event will bring international prestige, publicity, goodwill and economic benefits to the country;

WHEREAS, the said event, now recognized as the Golf Olympics, will attract not only top caliber players from various regions but also thousands of golf enthusiasts and tourists from all over the world, thereby supporting the government's tourism program;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby constitute a Philippine Hosting Committee for the 1996 World Amateur Golf Team Championships.

SECTION 1. Composition. The Committee shall be composed of the President of the Republic of the Philippines Golf Association (RPGA) as the Over-all Chairman, the Secretary of the Department of Tourism as the Co-chairman and with the following as members, all to be appointed by the Chairman: six (6) representatives from the RPGA Board of Directors; three (3) representatives from the Department of Tourism; and, two (2) representatives from other private agencies or associations.

The Chairman shall be authorized to create a Secretariat and such other committees as may be necessary, and appoint the members thereof.

SEC. 2. Functions. The Committee shall have the following functions:

1. Oversee and undertake all the necessary plans and promotions for the hosting of the World Golf Championships; and
2. Coordinate with and assist the tournament organizers with respect to hosting requirements.

SEC. 3. Honoraria. The Committee shall be authorized to pay honoraria to those who will render services for the World Golf Championship, subject to the usual accounting, auditing and other pertinent rules and regulations.

SEC. 4. Support From Other Government Agencies. All concerned government departments, agencies and offices, including government-owned and - controlled corporations whose assistance may be sought by the Committee, are urged to extend their support and resources to the 1996 World Golf Championships.

SEC. 5. Funding. The amount necessary for the event, including the operations of the Committee and its Secretariat, working groups and advisory boards, shall come from sponsorships, donations, grants, contributions, proceeds from tournament-related activities, or other forms of assistance from any private or government entity.

SEC. 6. Accounting of Money Received. The Committee is authorized to open an account with a government bank which shall be the depository of the proceeds raised under Section 5 hereof, which shall be disbursed in accordance with existing accounting and auditing rules and regulations.

SEC. 7. Coordinating Agencies. The Committee, through the Republic of the Philippines Golf Association and the Department of Tourism, shall coordinate the effective implementation of this Order.

This Administrative Order shall take effect immediately.

Done in the City of Manila, this 14th day of February, in the year of Our Lord, Nineteen Hundred and Ninety Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 255
CREATING A TASK FORCE ON THE REVISION OF FEES AND CHARGES

WHEREAS, the resource mobilization program of the Philippine Government has identified fees and charges as a major source of revenue;

WHEREAS, fees and charges are apt to grow rather than diminish in importance and can be used as an alternative for increased taxation;

WHEREAS, there is an apparent absence of a synchronized accounting and reporting system of collection from fees and charges by the bureaus and agencies concerned which cause difficulties in the establishment of budgetary levels, targets and priorities.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, do hereby create a Task Force on the Revision of Fees and Charges, composed of representatives of the Department of Finance; Department of Budget and Management; Bureau of the Treasury; National Tax Research Center; and National Accounting Office.

The Task Force shall be responsible for the following functions:

1. Devise a system which will:
 - a. synchronize the accounting and reporting of collections of fees and charges by concerned government agencies as well as the reports of the Department of Finance, Department of Budget and Management, Bureau of the Treasury, National Tax Research Center, and National Accounting Office; *and*
 - b. insure the monitoring of the revision of fees and charges by agencies concerned.
2. Submit a report of its recommendations to the President through the Secretaries of the Department of Finance and the Department of Budget and Management.

ONE in the City of Manila, this 20th day of February, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 256

**CREATING A NATIONAL COMMITTEE TO TAKE CHARGE OF THE YEARLY CELEBRATION
OF THE ANNIVERSARY OF PHILIPPINE INDEPENDENCE FROM 1996 UP TO 1997**

WHEREAS, 1996 and 1997 are the last two years before the commemoration of the centennial of the declaration of Philippine Independence;

WHEREAS, there is a need to properly coordinate all activities leading to the centennial celebration of the Philippine Independence.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, pursuant to the powers vested in me by law, do hereby create a National Committee to take charge of the yearly celebration of Philippine Independence every 12th of June starting 1996 up to 1997.

SECTION 1. The National Committee, which shall meet at the call of the Chairman, shall be composed of the following:

Secretary of Education, Culture and Sports	- Chairman
Chairman, National Centennial Commission	- Co-Chairman
Secretary of Finance	- Co-Chairman
Secretary of Foreign Affairs	- Member
Secretary of Public Works and Highways	- Member
Secretary of Labor and Employment	- Member
Secretary of National Defense	- Member
Secretary of Trade and Industry	- Member
Secretary of Interior and Local Government	- Member
Secretary of Tourism	- Member
Secretary of Transportation and Communications	- Member
Secretary of Science and Technology	- Member
Secretary of Budget and Management	- Member
Press Secretary	- Member
Secretary of Agriculture	- Member
Director General, National Economic and Development Authority	- Member
Chairman, Government Service Insurance System	- Member
Administrator, Social Security System	- Member
Chief of Staff of the Armed Forces of the Philippines	- Member
Director-General, National Economic and Development Authority	- Member
Director-General, Philippine National Police	- Member
Head of the Presidential Management Staff	- Member
Chief, Protocol Office, Office of the President	- Member
Director-General, Philippine Information Agency	- Member
Chairman, Metropolitan Manila Development Authority	- Member

Executive Director, National Historical Institute	- Member
Executive Director, National Commission for Culture and the Arts	- Member
Executive Director, National Parks Development Committee	- Member
Eight (8) Private Sector Representatives who shall be appointed by the National Committee Chairman	- Member

SEC. 2. To assist the National Committee, an Executive Committee is hereby created, the members of which shall be designated by the Chairman of the National Committee.

SEC. 3. The National Committee Chairman is hereby authorized to call upon any department, bureau, office or instrumentality of the government, including government-owned or controlled corporations to extend all necessary assistance to the National and Executive Committees. These instrumentalities of the government are hereby authorized to allocate from their respective fund, any amount which they may deem necessary to ensure the successful yearly celebration of the Anniversary of Philippine Independence, subject to the usual accounting and auditing rules and regulations.

SEC. 4. An initial fund in the amount of *SIX MILLION PESOS* (₱6,000,000.00) from the President's Contingent Fund shall be released for the 1996 celebration of Philippine Independence.

SEC. 5. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 17th day of April, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 257
IMPOSING THE PENALTY OF DISMISSAL FROM THE SERVICE ON REGION V
REGIONAL DIRECTOR PILAR ANTE-HILARIO OF THE DEPARTMENT OF TOURISM FOR
FALSIFICATION OF PUBLIC DOCUMENT

This refers to the administrative case filed by Mr. Ramon Rocha Labayo against Region V Regional Director Pilar Ante-Hilario of the Department of Tourism for alleged falsification of official document, her Personal Data Sheet (PDS, Civil Service Form No. 212), in violation of Article 171 of the Revised Penal Code.

In its resolution, the Presidential Commission Against Graft and Corruption (Commission) found the following:

“The only issue then to be resolved is whether or not respondent Pilar Ante Hilario is guilty of falsification of her PDS submitted on January 1, 1989 by stating therein that she earned her BSC from Republic Colleges.

Well-settled is the rule that in an administrative case, only substantial evidence is necessary to hold respondent liable of the charge against her. In this case, the Commission finds substantial evidence to hold complainant (respondent) liable for misdeclaration in her Personal Data Sheet (CSC Form No. 212) which she filed on January 1, 1989 that she earned the degree of Bachelor of Science in Commerce from the Republic Colleges, Guinobatan, Albay. The preponderance of evidence supports the allegations of complainant that she falsely declared such fact.

At the time she filled up CSC Form No. 212, her only basis was the Transcript of Records which upon perusal by this Commission appears to be not authentic as it did not have the official seal of the School. Her claim that she, in good faith, believed that she graduated from the Republic Colleges has no basis at all because if it were so, then the transcript should have the official seal indicating therein that she has indeed graduated from the said school. The preponderance of evidence negates such claim of good faith on her part. It would have been a different matter if the transcript of records indicated the fact of her graduation.

The circumstances occurring after January 1989, more particularly the issuances of the Registrar of Republic Colleges, only bolster our opinion that respondent really misdeclared her educational background. Both Efren Oliva, former Registrar of Republic Colleges and Ester P. Flores, Acting Registrar of the School certified on 19 June 1989 and 11 September 1989 respectively, that respondent did not graduate from Republic Colleges.

Granting for the sake of argument that respondent believed in good faith, as claimed by her and as found by the deputized ombudsman who investigated the

case, that she was a bona fide student of the said school because she was enrolled on a special arrangement (“tutorial” basis) and was allowed to study at home, still there was a misdeclaration. Graduation from a degree or course is not a matter pertaining only to the claim of students that they have finished all the required subjects. It has to be evidenced by an official document issued by the school which in the case at bar is lacking.

We are likewise aware of the finding of the Office of the Ombudsman absolving respondent of any criminal liability for the same act. Noted, however, by this Commission is the difference in the quantum of evidence in administrative and criminal cases.

In view thereof, it is hereby recommended to the Office of the President that respondent Pilar Ante Hilario, Regional Director, Department of Tourism, Region V, be DISMISSED from service.

SO RESOLVED.”

After a careful review of the evidence on record, this Office adopts the findings of the Commission and concurs with its recommendation. Findings of administrative agencies which have acquired expertise because their jurisdiction is confined to specific matters are accorded not only respect but even finality (PNOC, Energy Development Corporation vs. NLRC, 201 SCRA 487).

In view of the foregoing, and as recommended by the Commission, respondent, Region V Regional Director Pilar Ante-Hilario of the Department of Tourism, is hereby DISMISSED from the service in accordance with the provisions of Rule XIV of the Omnibus Rules Implementing Book V of Executive Order No. 292.

SO ORDERED.

Done in the City of Manila, this 28th day of February, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 258

ENJOINING ALL INSTRUMENTALITIES OF THE GOVERNMENT TO JOIN THE GLOBAL OBSERVANCE OF WORLD WATER DAY ON MARCH 22, 1996 TO START THE 1996 WATER CONSERVATION YEAR, AND CREATING AN EXECUTIVE COMMITTEE TO PLAN AND PREPARE FOR THE OCCASION

WHEREAS, the United Nations General Assembly has declared the date March 22 of each year as the World Day for Water in conformity with the recommendations of the United Nations Conference on Environment and Development and has adopted the theme “Water for Thirsty Cities” for the World Day celebration in 1996;

WHEREAS, the government, as signatory to the Agenda 21 of the United Nations Conference on Environment and Development (UNCED), has formulated and is vigorously advocating the Philippine Strategy for Sustainable Development (PSSD) which includes emphasis on water as a limited resource;

WHEREAS, pursuant to these commitments and in response to the alarming degradation of the status of the country’s water resources, the government has initiated a series of intensive nationwide multi-sectoral consultations culminating in the Water Summit in December 1994 which was immediately followed by the enactment of R.A. 8041, also known as the Water Crisis Act, in June 1995;

WHEREAS, corollary to the present effort of attaining a sustainable development of our water resources, the government must demonstrate its solidarity with the international community in advocating water conservation and sustainable utilization;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order;

SECTION 1. The nationwide observance of Water Conservation Year starting 22 March 1996. March 22 this year and in every year thereafter, is hereby declared World Water Day to coincide with such celebration by the international community of nations with the objective of instilling awareness in all concerned on the importance of water conservation.

SEC. 2. Holding of commemorative activities and simple rites by all government instrumentalities at the national and local levels focusing on this year’s theme of “Water for Thirsty Cities” but without compromising the current concern of the government for a nationwide advocacy on the importance of protecting and conserving our water resources. These activities should, in all cases, also incorporate with significant degree the present thrusts and multi-faceted provisions of the Water Crisis Act. The overall result or any planned outputs from these should be aimed at facilitating the attainment of the purposes for which R.A. 8041 was enacted.

SEC. 3. Designation of working committees from among the national instrumentalities of the government to prepare and implement World Water Day related activities and to coordinate with the appropriate level of the local government units and other non-governmental organizations. The working committees shall also see to it that their plans and programs and properly coordinated with

the ad-hoc Water Crisis Commission and the existing Cabinet Clusters which could be affected by the holding of these activities.

For the purpose of this year's celebration, the following Executive Committee for the Celebration of World Water Day which shall serve to kick-off the 1996 Water Conservation Year is hereby organized:

Secretary, Department of Public Works and Highways	: Chairman
Administrator, Local Water Utilities Administration	: Co-Chairman
Administrator, Metropolitan Waterworks and Sewerage System	: Co-Chairman
Department of Interior and Local Government	: Member
Department of Environment and Natural Resources	: Member
Department of Agriculture	: Member
Department of Health	: Member
National Water Resources Board	: Member
National Irrigation Administration	: Member
Bureau of Soil and Water Management	: Member
Office of the Press Secretary	: Member

SEC. 4. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 4th day of March, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 259

**IMPOSING THE PENALTY OF DISMISSAL FROM THE SERVICE WITH FORFEITURE
OF RETIREMENT OR GRATUITY BENEFITS UNDER THE LAW OF DEPARTMENT OF
ENVIRONMENT AND NATURAL RESOURCES REGIONAL TECHNICAL DIRECTOR
(REGION III) MARIANO T. MACHACON**

This refers to the complaint filed by “Friends of People Against Graft and Corruption” charging Samuel Peñafiel, Regional Executive Director; Mariano T. Machacon, Regional Technical Director for Forestry; Ely Nabua, Land Evaluation Party; Terencio Taloma, Chief, Forest Resources Development Division; all employees of the Department of Environment and Natural Resources (DENR), Regional Office III, San Fernando, Pampanga, for two (2) incidents of graft and corrupt practices.

As per report of the Presidential Commission Against Graft and Corruption (Commission) there are two incidents of graft and corrupt practices reported in the complaint allegedly involving herein respondent, namely:

**I. CORRUPTION INVOLVING REGIONAL EXECUTIVE DIRECTOR PENAFIEL,
REGIONAL TECHNICAL DIRECTOR MACHACON AND MR. ELY NABUA.**

The complaint alleged that in consideration of the certification of the accomplishment of the latter’s Surveying, Mapping and Planning (SMP) Contract for 1,000 hectares in the province of Tarlac, respondents received ₱160,000.00 from Greentech, Inc. despite the fact that its accomplishments therein were far below standards and that the required technical report of said company was not presented to the DENR Committee for review and acceptance and that the maps submitted by it were actually tampered with by respondents to make it appear that there was compliance with the requirements and conditions of the contract. The complaint also alleged that it was respondent Ely Nabua who encashed the check in favor of Greentech and that ₱100,000.00 was divided between Regional Executive Director Penafiel and Machacon and the balance of ₱60,000.00 was pocketed by Nabua.

The Commission found no sufficient evidence to hold respondents Regional Executive Director Samuel Peñafiel, Regional Technical Director Mariano T. Machacon and Mr. Ely Nabua liable for falsification of the data/maps of Greentech, Inc.’s accomplishment report. Respondent Machacon explained that on 21 September 1993, he advised Greentech that its accomplishment report was not in accordance with existing guidelines and required it to rectify the same. (Annex “F”, Counter-Affidavit, Machacon). In view thereof, he directed the Land Evaluation Party (LEP) composed of Peter Tuscano, Cartographer, Alfredo Leproso, Team Leader and respondent Ely Nabua, regional LEP coordinator to do sampling validation of the area and to evaluate Greentech’s accomplishment. The LEP inspected and validated the accomplishments of Greentech and on 5 November 1993, issued a certification to the effect that Greentech has rectified/coordinated all data/maps of their SMP. (Exhibit “4”).

The charge that herein respondents divided among themselves the ₱160,000.00 check their office issued as payment for services rendered by Greentech is not supported by evidence. Contrary to complainant's allegation that respondent Nabua encashed the said check, an examination of said check revealed that the same was made payable to Greentech, Inc. and encashed by Mr. Luis L. Laudencia, Manager of Greentech, as shown by the endorsement on the dorsal side thereof. Moreover, Laudencia himself denied respondents' alleged extortion from him.

It is worthy to note that the assistance of National Bureau of Investigation (NBI) was sought by the Commission for the investigation of this case. On 8 August 1994, NBI Agent Leopoldo G. Andrada appeared before the Commission and testified on their report of the investigation and declared that they found no sufficient evidence to hold respondents liable."

II. ENTRAPMENT OF REGIONAL TECHNICAL DIRECTOR MACHACON ON 10 JANUARY 1994 CONDUCTED BY NBI MEN.

The complaint alleged that Regional Technical Director Machacon was caught by NBI men receiving bribe money from one Vilma Battad in an entrapment conducted on 10 January 1994 in the former's office.

In his counter-affidavit, dated 25 May 1994, respondent Machacon denied that he was caught by NBI men receiving bribe money from Vilma Battad, President of Likas Lakas Kalikasan Foundation, Inc. (LLKFI), a non-government agency which was awarded an Inspection Chart Map (ICM) contract by the DENR, Region III. Machacon alleged that the 10 January 1994 incident in his office was actually a frame-up.

Upon being informed by counsel for respondent Machacon that there was also a pending administrative investigation of the entrapment case with the DENR, the Commission informed the DENR Secretary that it was taking over said investigation pursuant to Section 4 of Executive Order No. 151, as amended. Accordingly the records of the DENR were submitted to this Commission on 2 September 1994. It was then revealed to us that aside from Mariano T. Machacon, there was another respondent in this incident in the person of Mr. Terencio Taloma, Forest Resources Development Division.

In the hearing conducted before the Special Committee created by the DENR Secretary, the version of the prosecution may be summarized as follows:

On 6 January 1994 - Vilma Battad went to the NBI and filed a complaint (see Sworn Statement before Atty. Rustico Vigilia, Acting Chief, Criminal Intelligence Division, Domestic Intelligence Service) against RED Penafiel and RTD Machacon for extortion. Battad related to the NBI that LLKFI was contracted by DENR, Region 3, for the Inspection Chart Mapping (ICM) of reforestation projects in Olongapo City, Botolan and Zambales. The contract cost ₱220,000.00. Sometime in October, she went to the DENR Region III Office to follow-up the payment for LLKFI's services. She talked with Forester Taloma, Chief of the Forest Resources Development Division and was informed that the voucher was still with RTD Machacon. When she sought Machacon, he told her to go back and talk to Taloma. As instructed, she went back to Taloma who then informed her that RTD Machacon was asking for ₱30,000.00 for the release of the check. She agreed to the demand. She got the check on the third week of October and met Taloma who commented to her that she might not return (to give them the ₱30,000.00 demanded by Machacon). She replied that she will be back after encashing the check. She went back to the DENR office sometime on mid-December 1993 and informed Taloma that she did not have the money yet as she had just come from the field. She promised to deliver the amount on

22 December 1994 but did not return on said date. Instead, she sought NBI assistance and an entrapment was planned.

On 10 January 1994, at about 1:30 p.m. she handed the “marked” money to RTD Machacon in the presence of NBI Special Investigators Auralyn Pascual and Lauro Nacis. Machacon allegedly received the envelope containing the marked money and with both hands felt the envelope as if estimating its thickness. Thereafter, the NBI agents pounced on Machacon and he was brought to the NBI, Manila, where, after the necessary tests, he was found positive for fluorescent powder.

The foregoing is supported by Battad’s affidavit dated 10 January 1994; and the affidavits of NBI Agents Alex Advento, Lauro Nacis, Olivo Ramos and Cecilio Zamora, Jr., who were members of the apprehending group that entrapped Machacon; photocopies of cash money marked and dusted with fluorescent powder and the certification from the NBI’s Forensic Chemistry Division, viz:

“Ultraviolet examinations conducted on the dorsal and palmar aspects of the left and right hands of the above Subject showed the presence of yellow fluorescent specks and smudges on the fingertips. Further examinations on the pockets of his pants and on the front side of his polo shirt showed yellow fluorescent smudges.” (underscoring ours).

On 11 January 1994, former NBI Director Epimaco Velasco filed charges against MARIANO MACHACON y TAMAYO and TERCENCIO TALOMA for direct bribery under Article 210 of the Revised Penal Code and violation of Section 3(b) of the Anti-Graft and Corrupt Practices Act before the Office of the Ombudsman.

Accordingly, the Commission resolved to recommend the following:

1. Dismissal of the first charge for insufficiency of evidence; and
2. Dismissal of respondent MARIANO T. MACHACON, including forfeiture of retirement or gratuity benefits under the law.
3. Dismissal of the charges against respondent TERCENCIO TALOMA, he being a non-presidential appointee, without prejudice to the result of the complaint still pending with the Office of the Ombudsman involving the same subject matter.

After a careful review of the evidence on record, this Office adopts the findings of the Commission and concurs with its recommendation.

Wherefore, as recommended by the Commission, the charges against respondents SAMUEL PENAFIEL, MARIANO MACHACON, and ELY NABUA involving an alleged bribery of ₱160,000.00 from Greentech, Inc. is hereby DISMISSED for insufficiency of evidence.

Respondent MARIANO MACHACON, is hereby DISMISSED from Office, with forfeiture of retirement or gratuity benefits under the law. The case against respondent TERCENCIO TALOMA, is hereby DISMISSED, he being a non-presidential appointee, without prejudice to the result of the complaint pending with the Office of the Ombudsman involving the same subject matter.

SO ORDERED.

Done in the City of Manila, this 4th day of March, in the year of Our Lord, Nineteen Hundred and Ninety Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 260
STRENGTHENING THE OPERATION OF THE CONTINUING PROFESSIONAL EDUCATION
COUNCILS OF THE PROFESSIONAL REGULATORY BOARDS UNDER THE SUPERVISION OF
THE PROFESSIONAL REGULATION COMMISSION

WHEREAS, the Continuing Professional Education (CPE) Programs of the Professional Regulatory Boards under the supervision of the Professional Regulation Commission have been institutionalized under Executive Order No. 266 issued on July 25, 1995;

WHEREAS, there is a need to further reinforce and strengthen the implementation of the Continuing Professional Education Programs of the Professional Regulatory Boards under the Professional Regulation Commission to insure the global competitiveness of Filipino professionals.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. Councils. – The Continuing Professional Education (CPE) Councils created by PRC Resolution No. 381, series of 1995, issued pursuant to Executive Order No. 266 issued on July 25, 1995, are hereby attached to the Professional Regulation Commission and its personnel complement shall be appointed by the Commission in accordance with existing Civil Service Law, rules and regulations.

SEC. 2. Fees and Other Income. – Subject to budgetary laws, circulars, and regulations, fees and other charges collected by the CPE Councils pursuant to Resolution No. 381, series of 1995, issued by the Commission in accordance with Executive Order No. 266, series of 1995, shall constitute a trust fund that shall be expended exclusively in accordance with the purposes of Executive Order No. 266 issued on July 25, 1995, as implemented by PRC Resolution No. 381, series of 1995, issued on October 24, 1995.

SEC. 3. Repealing Clause. – All orders, guidelines and regulations or portion thereof which are in conflict with this Administrative Order are hereby repealed or modified accordingly.

SEC. 4. Effectivity. – This Administrative Order shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation, whichever is earlier.

Done in the City of Manila, this 19th day of March, in the year of Our Lord, nineteen hundred and ninety six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 261
CREATING A NATIONAL ORGANIZING COMMITTEE FOR THE FIRST ASIA PACIFIC
SUMMIT ON CHILD RIGHTS AND THE MEDIA

WHEREAS, the international community is one in upholding and protecting the best interest of children with the universal ratification of the United Nations Convention of the Rights of the Child;

WHEREAS, the Philippines as a State Party to the Convention is committed to undertake all appropriate measures for the implementation of its provisions;

WHEREAS, the Convention stipulates the right of the child to access to information and materials from a diversity of sources necessary for promoting the social, spiritual, moral, physical and mental well-being of children;

WHEREAS, the provision of quality mass media, planning and programming should be geared toward fulfilling the right of the child to information;

WHEREAS, the 1995 World Summit on Children and Television, held in Melbourne, Australia, is a recognition of the developmental rights of a child;

WHEREAS, the holding of the First Asia Pacific Summit on Child Rights and the Media was identified as the first regional response to the Summit;

WHEREAS, the willingness of the Philippines to host the Summit is a concrete manifestation of our commitment to improving the quality of lives of children;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. National Organizing Committee. - A National Organizing Committee for the First Asia Pacific Summit on Child Rights and the Media, herein referred to as the Committee, is hereby created, which is tasked to orchestrate the overall implementation of the Summit activities.

SEC. 2. Composition. - The Committee shall be chaired by the Chairman of the Council for the Welfare of Children with the Chairman of the Philippine Children's Television Foundation (PCTVF) as Vice-Chair, and with the representatives of the following, as members:

Office of the Press Secretary
Philippine Information Agency
Presidential Management Staff
Office of the Presidential Assistant for Social Development
Department of Education, Culture and Sports
Department of Foreign Affairs
Department of Tourism
Department of Interior and Local Government
Department of Budget and Management
National Economic and Development Authority

Philippine National Police
UNICEF Manila
Republic Broadcasting System, Inc. (GMA)
Asean Broadcasting Foundation

SEC. 3. Functions of the Committee. - The Committee shall create a Secretariat and such other sub-committees, as may be necessary to fulfill its mandate, and formulate mechanisms that will ensure the success of the Summit. Pursuant thereto, the Committee shall have the authority to call upon the assistance of any department, agency or instrumentality of the Government.

SEC. 4. Funding. - The amount of two million five hundred thousand pesos (P 2,500,000.00) from the International Commitment Fund is hereby authorized for this purpose, subject to the usual government accounting and auditing rules and regulations.

SEC. 5. Effectivity. - This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 20th day of March, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 262

AMENDING ADMINISTRATIVE ORDER NO 244, CREATING THE NATIONAL EXECUTIVE COMMITTEE FOR THE PHILIPPINE HOSTING OF THE APEC MINISTERIAL MEETING ON SUSTAINABLE DEVELOPMENT AND THE APEC EXPERT'S MEETING ON INNOVATIVE APPROACHES TOWARDS ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT IN JULY 1996

I, **FIDEL V. RAMOS**, President of the Philippines, by virtue of the power vested in me by law, do hereby amend Sections 1, 2, and 4 of Administrative Order No. 244, Series of 1996 and order:

Section 1. National Executive Committee. In addition to the provisions of Administrative Order No. 244, the National Executive Committee (NEC) shall include the following members:

- (a) Secretary of Energy
- (b) Secretary of National Defense and Chairman of the National Disaster Coordinating Council
- (c) Chairman of Population Commission

The National Executive Committee is further authorized to host a Senior Officials Meeting for Sustainable Development (SOMSD) immediately prior to the APEC Ministerial Meeting on Sustainable Development (AMMSD).

Sec. 2. Functions. The National Executive Committee shall be responsible for the preparations of the substantive positions on various issues of the three meetings. The APEC National Organizing Commission - Executive Committee, in close coordination with the NEC, shall be responsible for all the administrative and logistical arrangements of the meetings pursuant to the provisions of A.O. 160 creating the APEC NOC-EC.

Sec. 3. Budget. The budget of five (5) million pesos allocated under A.O. 244 shall be released to and managed by the APEC NOC-EC, in close consultation with the National Executive Committee.

Sec. 4. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 28th day of March, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). [*Administrative Order Nos.: 201 - 300*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 263
AUTHORIZING THE GRANT OF ANNIVERSARY BONUS TO OFFICIALS AND EMPLOYEES
OF GOVERNMENT ENTITIES

WHEREAS, certain Government Financial Institutions (GFIs) have been authorized to celebrate and commemorate milestone anniversaries with the traditional grant of Anniversary Bonus to their officials and employees;

WHEREAS, the government deems it desirable and fitting to commemorate milestone anniversaries of GOCCs, GFIs, and national government agencies as well by way of granting anniversary bonus to their employees;

WHEREAS, the grant of anniversary bonus on the occasion of milestone years of government agencies will directly improve and enhance employee morale consistent with Section 36(2), Chapter 5, Subtitle A, Title I, Book V of Executive Order No. 292, the Administrative Code of 1987;

WHEREAS, there is a need to regulate the grant of such benefit by adopting a uniform scheme for its implementation to ensure fairness and equity and to conform with the policy of standardization of compensation enunciated under Republic Act No. 6758;

WHEREAS, Section 17, Article VII of the 1987 Constitution vests in the President of the Philippines prerogatives which include, among others the determination of the rates, timing and schedule of payment, and final authority to commit limited resources of government for the payment of personnel incentives, cash rewards, bonuses and other forms of additional compensation and fringe benefits to government personnel.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the grant of Anniversary Bonus in accordance with the rules prescribed hereunder:

1.0 Coverage/Exemption.

- 1.1 All government personnel whether employed on a full-time or regular, part-time basis or under permanent, temporary or casual status, and contractual personnel whose employment is in the nature of a regular employee, who have been appointed as such in a specific government entity by virtue of a valid appointment and continue to be employed in the same government entity as of the occasion of its milestone anniversary, shall be entitled to the anniversary bonus.
- 1.2 Government personnel who have been found guilty of any offense in connection with their work during the five-year interval between milestone years, as defined in 2.5 herein, shall not be entitled to the immediately succeeding anniversary bonus.

2.0 Rules and Regulations.

- 2.1 “Government entities” shall refer to departments, bureaus, offices, commissions and similar bodies of the national government, including GOCCs and GFIs; provided that staff bureaus or entities which form part of the organization structure of departments or offices shall be deemed absorbed by the latter and shall not be treated as a separate agency.
- 2.2 A frontline bureau or entity created as such under a distinct enabling act or law and, thus, deemed as an institution in its own right shall be considered a distinct and separate agency for purposes of this benefit notwithstanding that fact that it had since been organizationally integrated with a department or office.
- 2.3 The Anniversary Bonus authorized under this Order shall be granted only during milestone years.
- 2.4 A milestone year refers to the 15th anniversary and to every fifth year thereafter.
- 2.5 Payment of the Anniversary Bonus shall be in an amount not exceeding ₱3,000.00 each employee provided that the employee has rendered at least one (1) year service in the same agency as of the date of the milestone year.
 - 2.5.1 In case of insufficiency of funds, the government entity concerned may grant the benefit at a rate lower than that prescribed herein, provided that such rate shall be uniformly applied to all its officials and employee.
- 2.6 An employee may receive Anniversary Bonus only once every five years, regardless of transfers from one government entity to another.
- 2.7 Government entities which have already passed a milestone year as defined herein prior to the effectivity of this Order without previously granting an anniversary bonus or a similar incentive may grant the Anniversary Bonus therefor in 1996 subject to the same conditions specified herein.
- 2.8 No other bonus or allowance or whatever name it may be called of similar nature which relate to or in connection with an entity’s anniversary shall be granted.
- 2.9 Existing administrative authorizations granting similar benefits to specific government entities are hereby revoked and superseded by this authorization.

3.0 Funding Source.

The cost of implementing the benefit under this Order shall be sourced strictly from savings from released allotment for current operating expenditures provided that all authorized mandatory expenses shall have been paid first. For government-owned and/or -controlled corporations and government financial institutions the amount shall be charged against their respective corporate funds.

4.0 Responsibility of the Agency Head.

The heads of concerned government entities shall be held responsible and personally liable for any payment of Anniversary Bonus not in accordance with the provisions of this Order, without prejudice to the refund of any excess payment by the employee concerned.

5.0 Savings Clause.

Cases not covered by the provisions of this Order shall be submitted to the Secretary of Budget and Management for appropriate evaluation and recommendation to the Office of the President.

6.0 Effectivity.

This Order shall take effect immediately.

DONE in the City of Manila, this 28th day of March, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). [*Administrative Order Nos.: 201 - 300*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 264
CREATING A SPECIAL COMMITTEE TO HEAR THE COMPLAINT FILED BY THE
DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT AGAINST ILOCOS NORTE
GOVERNOR RODOLFO C. FARIÑAS

There is hereby created a Special Committee to hear the administrative complaint against Ilocos Norte Governor Rodolfo C. Fariñas filed with the Office of the President on April 2, 1996.

The Special Committee shall be composed of the following:

<i>Hon. Teofisto T. Guingona, Jr.</i> Secretary Department of Justice	- Chairman
<i>Hon. Francisco L. Viray</i> Secretary and CORD - Region I Department of Energy	- Member
<i>Hon. Renato Cayetano</i> Chief, Presidential Legal Counsel Office of the President	- Member

The Special Committee shall, within (20) days after the case has been submitted for resolution, forward to the Office of the President the entire records of the case, together with its findings, recommendations and its draft decision, for the President's approval.

This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 10th day of April, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 265
ESTABLISHING THE TASK FORCE FOR THE IMPLEMENTATION OF THE COTABATO RIVER
Basin Rice Productivity Action Plan

WHEREAS, the Food Security Summit held on 26 January 1996 identified Mindanao as a possible food basket since it provides more than forty percent of the country's annual rice requirement;

WHEREAS, the Provinces of North and South Cotabato, Maguindanao and Sultan Kudarat, otherwise known as the Cotabato River Basin, are in the position to further increase their current level of rice production;

WHEREAS, the Cotabato River Basin Rice Productivity Summit held on 4 March 1996 adopted the Action Plan to increase the annual rice yields of the Provinces of North and South Cotabato, Maguindanao and Sultan Kudarat;

WHEREAS, the Action Plan was presented to and approved by the President during the 5 March 1996 Cabinet Meeting at General Santos City;

WHEREAS, there is a need for a coordinating mechanism to ensure the effective and timely implementation of the Plan;

NOW, THEREFORE, I, FIDEL V. RAMOS, by virtue of the powers vested in me by law, hereby order and direct:

Section 1. Establishment of the Task Force for the enhancement of rice production in the Cotabato River Basin. There is hereby created the Task Force for the Cotabato River Basin to serve as the policy and program coordinating body for enhancing rice productivity in the Provinces of North and South Cotabato, Maguindanao and Sultan Kudarat, in line with the government's efforts to transform Mindanao as the country's food basket.

Section 2. Composition. The Task Force shall be composed of the following:

Chairman	Secretary, Department of Agriculture
Members	Governor, North Cotabato
	Governor, South Cotabato
	Governor, Maguindanao
	Governor, Sultan Kudarat
	Secretary of Agriculture and Food, ARMM
	Secretary, Mindanao Economic Development Council
	President, University of Southern Mindanao
	Vice President, Land Bank of the Philippines
	Directors, DA Regions XI and XII
	Directors, DPWH, Regions XI and XII
	Directors, DENR, Regions XI and XII
	Directors, NFA, Regions XI and XII
	Directors, NIA, Regions XI and XII
	Heads, Regional Agricultural and Fishery Council, Regions XI and XII

One (1) Representative each from the farmers' groups and NGOs in the area to be appointed by the Committee Chairman

Section 3. Duties and Responsibilities. The Task Force shall have the following duties and responsibilities:

- a. Coordinate the implementation of the Action Plan adopted by the 4 March 1996 Cotabato River Basin Rice Productivity Summit, including the formulation and implementation of the programs and policies affecting thereof;
- b. Provide mechanism for addressing issues and concerns affecting the implementation of the Plan and the promotion of higher rice productivity of the area;
- c. Study and recommend possible sources of funds for the effective Plan implementation;
- d. Monitor the Plan implementation towards its regular updating in furtherance of its objectives; and,
- e. Undertake other functions which may be deemed essential by the President.

Section 4. Secretariat Support. The SOCSARGEN Area Development Project Office of the DA Region XI shall provide secretariat and administrative support to the Task Force. To the extent necessary, the Task Force may call on other government agencies and instrumentalities to assist it in the discharge of its functions and/or may create appropriate Sub-Committee and Task Forces.

Section 5. Operational Budget. The yearly budgetary requirement for the operation of the Task Force shall be drawn from the contribution of its Member Agencies. For its initial year, the Department of Agriculture, through the National Food Authority, shall provide One Million Pesos (P1,000,000) from the proceeds of the 1996 rice importation, subject to existing accounting and auditing rules.

Section 6. Initial Task. As its initial task, the Task Force shall review the above Action Plan toward enhancing its doability through the provision of specific timeframe and monitoring parameters of the programs and projects thereto. In this regard, the Task Force shall submit to the Office of the President, the implementing program of the Plan indicating its milestones and expected time of completion.

Section 7. Implementing Guidelines. The Task Force shall immediately formulate and adopt the necessary implementing rules and regulations to effectively implement the provisions of this Order.

Section 8. Reporting. The Task Force shall provide a quarterly report on its activities to the Office of the President, copy furnished the Regional Development Councils of Regions XI and XII.

Section 9. Sunset Clause. At the end of the timetable of the Action Plan or not later than three (3) years from the effectivity of this Order, the Office of the Executive Secretary shall review the need for the continued existence of the Task Force.

Section 10. Effectivity. This Order shall take effect immediately.

DONE in the City of Manila, this 7th day of June, in the Year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

ADMINISTRATIVE ORDER NO. 266

CREATING AN AD HOC COMMITTEE TO INVESTIGATE THE ADMINISTRATIVE
COMPLAINT FILED AGAINST LAND REGISTRATION AUTHORITY (LRA) ADMINISTRATOR
REYNALDO MAULIT AND SPECIAL DEPUTY REGISTRAR MELANY VICTORIA OF THE
REGISTRY OF DEEDS OF CAVITE

There is hereby created, an ad hoc Investigating Committee to investigate the administrative complaint against presidential appointee LRA Administrator Reynaldo Y. Maulit and non-presidential appointee Special Deputy Registrar Melany Victoria of the Registry of Deeds of Cavite, referred to this Office by the Department Of Justice on 28 March 1996.

The Investigating Committee shall be composed of the following:

- | | |
|--|------------|
| Eufemio C. Domingo | - Chairman |
| Chairman | |
| Presidential Commission Against Graft and Corruption | |
| Dario C. Rama | - Member |
| Commissioner | |
| Presidential Commission Against Graft and Corruption | |
| Jaime L. Guerrero | - Member |
| Commissioner | |
| Presidential Commission Against Graft and Corruption | |

The Investigating Committee shall follow the procedure prescribed under Section 38 to 40 of the Civil Service Law (PD 807). The investigation of the administrative complaint shall be terminated by the Investigating Committee within ninety (90) day form the start thereof.

The Investigating Committee shall, within (20) days after receipt of the last pleading and evidence, if any, in case the respondents do not elect formal investigation; or after the expiration of the period within which to submit the same; or after the termination of the formal investigation; or after the parties have submitted their respective memoranda, if so allowed; forward to the Disciplining Authority the entire records of the case, together with its findings and recommendations; as well as the draft decision for approval of the President.

This Administrative Order shall take effect immediately.

Done in the City of Manila, this 17th day of April, in the year of our Lord, Nineteen Hundred and Ninety-Six.

By Authority of the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). [*Administrative Order Nos.: 201 - 300*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 267
**CREATING A MULTI-SECTORAL/AGENCY COMMITTEE TO FORMULATE A NATIONAL
ACTION AGENDA FOR PRODUCTIVITY**

WHEREAS, the Philippines, which is in the process of diversifying its exports and building its competitive strength based on skill and technology intensiveness, needs to formulate national strategies for productivity improvement to prepare it for competition in the 21st century;

WHEREAS, labor productivity alone has been inadequate to explain the competitive advantage of countries and that total factor productivity, which refers to the efficient utilization of the economy's productive inputs - capital, labor, energy and materials, also needs to be examined;

WHEREAS, to ensure consistency of policies, it is important to coordinate the efforts of the National Wages and Productivity Commission (NWPC) which was created by Republic Act No. 6727 and the National Productivity Organization of the Philippines (NPOP) based at the Development Academy of the Philippines (DAP) by virtue of Presidential Decree No. 205 in the promotion of productivity awareness and improvement in key sectors of the economy;

WHEREAS, productivity-enhancing measures at the short-, medium- and long-term, which will be critical in the pursuit of sustained economic growth, have to be incorporated in the Updated Medium-Term Philippine Development Plan covering the period 1996-98 and the Long-Term Philippine Development Plan for the period 1997-2025;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the formulation of a National Action Agenda for Productivity.

SECTION 1. *Creation of a National Multi-Sectoral Committee on Productivity.* A National Multi-Sectoral Committee on Productivity to formulate a National Action Agenda for Productivity, hereinafter referred to as the Multi-Sectoral Committee, is hereby created.

SEC. 2. *Composition.* The Multi-Sectoral Committee, to be chaired by the Secretary of Socioeconomic Planning of the National Economic and Development Authority with the President of the Development Academy of the Philippines and the Chairperson of the National Wages and Productivity Commission as Vice-Chairpersons, shall have as members, representatives from the following agencies/sectors:

- a. Department of Science and Technology;
- b. Department of Trade and Industry;
- c. Department of Agriculture;
- d. Department of Budget and Management;
- e. Department of Education, Culture and Sports;
- f. Technical Education and Skills Development Authority;
- g. Commission on Higher Education;
- h. Civil Service Commission; *and*

- i. Private Sector (2 representatives each from labor, employer/ business, farmers/fisherfolks and the academe).

All government agencies herein represented shall have their permanent representative to the Multi-Sectoral Committee an official with a rank not lower than Assistant Secretary or its equivalent. Their permanent alternates, on the other hand, shall be with ranks not lower than Director or its equivalent.

In the performance of its duties and responsibilities, the Multi-Sectoral Committee shall consult with appropriate Committees of both the Senate of the Philippines and the House of the Representatives and with all other government agencies.

SEC. 3. *Functions.* The Multi-Sectoral Committee shall have the following responsibilities:

- a. coordinate the formulation of a National Action Agenda for Productivity that would provide the framework and direction to the productivity efforts in the country, including the timetable of activities;
- b. coordinate the preparation of relevant studies which can serve as inputs in the preparation for the Action Agenda for Productivity;
- c. recommend the performance measures/indicators of productivity for both the public and private sectors at the national, local and sectoral levels which will be used to monitor and assess annual performances; *and*
- d. organize consultation workshops to validate the policies, programs and targets in the National Action Agenda.

The Multi-Sectoral Committee shall be supported by a Coordinating Committee and three Technical Working Groups to take charge of productivity measures for the agriculture, industry and services and the public sectors. The Multi-Sectoral Committee may, in addition to these three working groups, create other working groups as may be necessary.

SEC. 4. *Secretariat Support.* The Development Academy of the Philippines shall take the lead in providing technical and administrative support to the Multi-Sectoral Committee in cooperation with the National Economic and Development Authority and the Secretariat of the National Wages and Productivity Commission based at the Department of Labor and Employment. The Departments of Agriculture, Trade and Industry and the Budget and Management, on the other hand, shall chair and act as the Secretariat to the Technical Working Groups on Agriculture Productivity, Industry and Services Productivity and Public Sector Productivity, respectively.

SEC. 5. *Timetable.* The National Action Agenda for Productivity shall be completed by the end of September 1996, and shall be presented for consultation in a workshop on a National Strategy for Productivity Improvement in the Philippines to be held on October 1996.

SEC. 6. *Funding.* Funds necessary for the attainment of the objectives of this Order shall be provided jointly by the member agencies of the Multi-Sectoral Committee.

SEC. 7. *Effectivity.* This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 19th day of April, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 268
CONSTITUTING A PHILIPPINE MANAGEMENT COMMITTEE FOR THE LUISITO ESPINOSA
VERSUS CESAR SOTO WORLD BOXING COUNCIL (WBC) TITLE FIGHT

WHEREAS, the Philippines has successfully played host to major world conferences and international sporting events;

WHEREAS, Luisito Espinosa acquired his WBC Featherweight title in Japan and thereafter staged a defense thereof in Mexico;

WHEREAS, as now reigning champion, it is only fitting and decidedly advantageous that Luisito Espinosa should stage his second defense in his own country before his countrymen;

WHEREAS, pursuant to the contract covering the Japan title fight of Luisito Espinosa, the option to promote the coming mandatory defense of Luisito Espinosa against Cesar Soto was retained by the Mexican promoter;

WHEREAS, payment of the option money to the Mexican promoter will now set the stage for Luisito Espinosa's mandatory defense against Cesar Soto here in the Philippines;

WHEREAS, the staging of this world championship directly supports the efforts of the tourism industry in projecting and promoting the Philippines as an ideal site for international and local sporting events;

WHEREAS, the holding of this event will bring international prestige, publicity, goodwill, and economic benefits to the country;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. A Philippine Management Committee (PMC) headed by the Chairman of the Games and Amusements Board, co-chaired by a representative from the private sector, with a representative each from the Land Bank of the Philippines, Philippine Tourism Authority (PTA) and the City of Manila, as members, is hereby constituted to oversee and undertake all the necessary preparations for the staging of the next title defense of Luisito Espinosa against Cesar Soto of Mexico here in the City of Manila, tentatively scheduled on 06 July 1996.

SEC. 2. All concerned government departments, agencies and offices including government-owned and controlled corporations, whose assistance will be sought by the PMC, are directed to extend their support and resources to this world title fight.

SEC. 3. The amount necessary for this event, including the operations of the PMC, its secretariat and working groups, shall come from sponsorships, donations, grants, contributions, proceeds from tournament related activities, or any form of assistance from any private or government entities.

SEC. 4. The PTA is authorized to source funds from its trust liability account, pursuant to Section 3 of Executive Order No. 46 (September 4, 1986) to cover the hosting fee to be incurred by the PMC and payment of the option to the Mexican promoter.

SEC. 5. The PMC is authorized to open an account with a government bank in which income/proceeds from Section 3 and 4 above shall be deposited and disbursed in accordance with its accounting and auditing rules and regulations.

SEC. 6. The PMC shall be authorized to pay honoraria to those who will be involved with this event, subject to existing accounting and auditing rules and regulations.

SEC. 7. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 23rd day of April, in the year of Our Lord, nineteen hundred and ninety six.

(Sgd.) FIDEL V. RAMOS

By the President
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 269
CONFIRMING THE ADOPTION OF THE FORT BONIFACIO MASTER DEVELOPMENT PLAN

WHEREAS, Section 4(a) of Republic Act No. 7227 provides that the Bases Conversion Development Authority (BaseCon) shall own, hold and/or administer portions of Metro Manila military camps which may be transferred to it by the President;

WHEREAS, Section 8(d) of Republic Act No. 7227 provides that a development plan embodying projects for conversion shall be approved by the President;

WHEREAS, the Master Development Plan of Fort Bonifacio, which was presented to the President and the Cabinet, was approved in principle last 07 June 1994;

WHEREAS, an updated version of the Master Development Plan has been undertaken and completed by BaseCon and the Fort Bonifacio Development Corporation (FBDC);

WHEREAS, this updated Master Development Plan was unanimously approved by the Municipality of Taguig under Municipal Resolution No. 46 s. of 1996;

WHEREAS, Fort Bonifacio is envisioned to be the “Nucleus of Philippine Progress in the 21st Century”, spearheading the Nation’s path towards global competitiveness;

WHEREAS, there is an urgent need to prioritize the implementation of the Master Development Plan for Fort Bonifacio to ensure that BaseCon will generate the needed funds for its conversion projects;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Confirmation of the Adoption of the Fort Bonifacio Master Development Plan.* - The adoption of the Master Development Plan for Fort Bonifacio undertaken by BaseCon and the FBDC is hereby confirmed. This Master Development Plan shall serve as the framework for the development of Fort Bonifacio.

SEC. 2. *Assistance from other Agencies.* - All government offices, agencies or instrumentalities, including government-owned or -controlled corporations, including but not limited to the following Departments, are ordered to support and assist BCDA for the speedy implementation of the Fort Bonifacio Master Plan:

- a. The Department of National Defense (DND), for the relocation of the various military and civilian occupants within the project area within the agreed timetable between BaseCon and the Bonifacio Land Corporation (BLC);
- b. The Department of Public Works and Highways (DPWH), for the integration of their various infrastructure projects with the planned developments within Fort Bonifacio;
- c. The Department of Environment and Natural Resources (DENR), for the immediate processing of all survey applications, special patents and various environmental permits, submitted to them by BaseCon and/or by the FBDC; *and*

- d. The Housing and Land Use Regulatory Board (HLURB), for the immediate processing of the various documents required for the development.

SEC. 3. Repealing Clause. - All executive, department and other agency issuances inconsistent herewith are hereby deemed repealed, modified or amended accordingly.

SEC. 4. Effectivity. - This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 29th day of April, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 270

IMPOSING THE PENALTY OF SUSPENSION ON ANTONIO M. NUESA, EUGENIO B. BERNARDO, OSCAR M. LASAM, EPIFANIO G. DEVERO, FLORENCIO L. SIMAN, AND ERNESTO H. DIZON, ALL OF THE DEPARTMENT OF AGRARIAN REFORM

In a letter-complaint, dated 21 February 1994, filed by Justice Milagros A. German, Department of Agrarian Reform (DAR) Adviser on Legal Affairs and Senior Special Consultant, the following DAR Region III officials, namely: Antonio M. Nuesa, Regional Director; Eugenio B. Bernardo, Assistant Director for Operations; Oscar M. Lasam, Trial Attorney III; Epifanio G. Devero, Chief of Legal Division; Florencio L. Siman, Officer-In-Charge; and Ernesto H. Dizon, Municipal Agrarian Reform Officer, stand charged of serious misconduct, dishonesty and gross ignorance of the law.

On March 21, 1994, the instant complaint was indorsed to the Presidential Commission Against Graft and Corruption (Commission) for appropriate action pursuant to Executive Order No. 151, as amended.

Parenthetically, this case stemmed from a tenancy dispute between Felix Carreon, tenant, and Jose Payumo, Jr., landowner, docketed as CAR Case No. 165-B-66 entitled “Felix Carreon, Plaintiff vs. Jose Payumo, Jr., Defendant.” In a decision penned by her on November 29, 1967, complainant, then the Presiding Judge of the Court of Agrarian Relations in Balanga, Bataan, declared the relationship between plaintiff and defendant to be that of leasehold tenancy in lieu of share tenancy for which reason Mr. Carreon was entitled to a Certificate of Land Transfer (CLT) for his two (2) hectare landholding which has been under his cultivation since 1947.

The facts of this case are as follows:

On May 8, 1991, Mr. Felix Carreon wrote a letter addressed to respondent Bernardo requesting that a Certificate of Land Transfer (CLT) be issued to him covering the two (2) hectares land under his cultivation.

In a letter-reply, dated August 8, 1991, respondent Bernardo informed Mr. Carreon that subject land had been titled in the name of Jose R. Payumo who bought the land from Rural Progress Administration and who was issued Title No. T-4988 by the Register of Deeds of Bataan. Respondent Bernardo further informed him that for this reason, he (Felix Carreon) will remain a lessee of the land in accordance with the decision rendered by Judge Milagros German in November 1967. He, however, assured Mr. Carreon that he will take a second look at his problem and find out if subject land falls under the coverage of P.D. 27/E.O. 228 or R.A. 6657 and that he will be informed about the same at the earliest possible time.

Meanwhile, on November 19, 1991, Mr. Carreon filed a letter-complaint with DAR Secretary Benjamin T. Leong against Mr. Ernesto Dizon, Municipal Agrarian Reform Officer, allegedly for the latter’s remarks that subject land cannot be transferred to him the same having been awarded to Mr. Payumo, Jr. Mr. Carreon further stated in his letter that despite the 1967 CAR decision no action had been taken by DAR awarding the land to him which had been under his cultivation for so many years.

An administrative case was filed by DAR against Mr. Dizon but the same was dismissed in a Memorandum dated May 18, 1992. Atty. Oscar Lasam, Trial Attorney III, who conducted the investigation cleared Mr. Dizon of the charges of neglect of duty, inefficiency and incompetence in the performance of official duties for lack of merit as it appears that he acted promptly on Carreon's queries and that he merely reiterated what was contained in the letter of respondent Bernardo to Mr. Carreon which in effect says that the land being cultivated by the latter could not be transferred in his name since it has long been sold to Mr. Payumo by the then Rural Progress Administration.

On May 6, 1992, respondent Nuesa issued an Order declaring that the land under tenancy by Mr. Carreon with an area of two (2) hectares in Dinalupihan, Bataan was covered by PD 27 and the same should be awarded to him (Carreon). It further declared that all the rentals paid by Mr. Carreon to the landowner, Jose R. Payumo, shall be considered as advance payment of the land.

A Motion for Reconsideration was filed by the heirs of Mr. Payumo, Jr. but the same was dismissed by DAR Secretary Ernesto D. Garilao, in an Order dated December 2, 1992, for lack of merit.

In her letter-complaint, *supra*, Justice German claims that herein-respondents falsified her decision rendered in CAR Case No. 165-B66 in 1967 by completely making a wrong narration of facts, entirely different from what are stated in said decision; that it was herein respondent Bernardo who started the wrong construction of her decision, fully endorsed by all the other respondents; and that herein respondents made it appear that her aforesaid decision limited Mr. Carreon into being a leasehold tenant only in the landholding.

It appears that, in his letter reply to Mr. Carreon, *supra*, respondent Bernardo stated that Carreon will remain a lessee of the land under his cultivation for reasons that the same has been titled in the name of Jose R. Payumo. He explained that he was just expressing an opinion and not a decision as he assured Carreon that he will take a second look at his problem to find out if it could be covered by P.D. 27, E.O. No. 228 or R.A. 6657 and inform him in due time.

Respondent Dizon, merely quoted the opinion expressed by his superior, respondent Bernardo, in informing Mr. Carreon that, pending further investigation and study, the land under his cultivation could not be transferred in his name since it has long been sold to Mr. Payumo by the then Rural Progress Administration.

Respondent Lasam's only participation in the case was in recommending the dismissal of the aforesaid administrative complaint filed by Mr. Carreon against respondent Dizon for lack of merit.

Respondents Nuesa, Devero and Siman, merely concurred with the recommendation of respondent Lasam.

From their foregoing explanation, it would seem that all the actuations of herein respondents were above board. In fact, as borne out by the records, Mr. Carreon is now the recipient of DAR Emancipation Patent No. 485898 issued on October 12, 1993 pursuant to the Order, dated May 6, 1992, of respondent Nuesa declaring that the land tenanted by Mr. Carreon is covered by P.D. 27 and, as such, the same should be awarded to the latter and that all rentals paid by Mr. Carreon to the landowner be considered payment of the land.

That there was an unreasonable and unexplained delay of 21 years before Mr. Carreon could be awarded his title to the land in question is, however, beyond cavil. Indeed, respondents DAR officials miserably failed in their duty to process all official papers and documents expeditiously and to complete the same within a reasonable time from the preparation thereof.

WHEREFORE, premises considered, the instant charges of serious misconduct, dishonesty and gross ignorance of the law against Messrs. Antonio M. Nuesa, Eugenio B. Bernardo, Oscar M. Lasam, Epifanio G. Devero, Florencio L. Siman and Ernesto H. Dizon, all of the Department of Agrarian

Reform (DAR), Region III are hereby **DISMISSED** for insufficiency of evidence in accordance with the recommendation of the Presidential Commission Against Graft and Corruption. This Office, however, finds respondents **GUILTY** of simple neglect of duty for their failure to process all official papers and documents of Mr. Carreon expeditiously and to complete the same within a reasonable time from their preparation. Accordingly, respondents are hereby suspended from the service for a period of ten (10) days, without pay, effective upon receipt of a copy hereof.

Done in the City of Manila, this 7th day of May, in the year of Our Lord, Nineteen Hundred and Ninety Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
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MALACAÑANG RECORDS OFFICE

ADMINISTRATIVE ORDER NO. 271

Based on the records available on file and in the possession of Malacañang Records Office, Administrative Order No. 271 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
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MALACAÑANG RECORDS OFFICE

ADMINISTRATIVE ORDER NO. 272

Based on the records available on file and in the possession of Malacañang Records Office, Administrative Order No. 272 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACANĀNG

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 273

REVISING THE COMPOSITION OF THE SCIENCE AND TECHNOLOGY COORDINATING
COUNCIL AS CREATED BY ADMINISTRATIVE ORDER NO. 123 DATED APRIL 4, 1989,
AS AMENDED

WHEREAS, international developments in science and technology should be monitored closely so that our country can identify opportunities for participation in the global market;

WHEREAS, the Science and Technology Coordinating Council (STCC), provides the strategies and directions for science and technology development;

WHEREAS, the Science and Technology Advisory Council (STAC), organized by Filipino scientists and technologists living in different capitals of the world, can provide the vital link to monitor global developments in science and technology and must be represented in the STCC;

NOW THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the amendment of Administrative Order No. 202 dated 05 July 1995, entitled "*Further Amending Administrative Order No. 202 dated April 21, 1989*" as follows:

Section 1. Section 1 of Administrative Order No. 202, is amended to read as follows.

"Section 1. Composition. The Science and Technology Coordinating Council (STCC) shall be composed of the following:

- | | |
|---------------|--|
| Chairman | - Secretary, of the Department of Science and Technology (DOST) |
| Vice-Chairman | - Representative of the private sector |
| | - Representative from private educational Institutions |
| Members | - Secretary of the Department of Foreign Affairs (DFA) |
| | - Secretary of the Department of Agriculture (DA) |
| | - Secretary of the Department of Education, Culture and Sports (DECS) |
| | - Secretary of the Department of National Defense (DND) |
| | - Secretary of the Department of Health (DOH) |
| | - Secretary of the Department of Trade and Industry (DTI) |
| | - Secretary of the Department of Environment and Natural Resources (DENR) |
| | - Secretary of the Department of Transportation and Communication (DOTC) |
| | - Director-General of the National Economic and Development Authority (NEDA) |
| | - Chairman of the Commission on Higher Education (CHED) |

- Eight (8) Representatives from the Private Sector which includes Representative from the Science and Technology Advisory Council (STAC)
- One (1) Representative from the Public Education Institutions

The members of the Council may designate their duly authorized representatives. Such designated representatives shall have the full powers to vote for and act for, and in behalf of their principals, in any action to be taken by the Council unless their designated provides otherwise.

Other heads of executive agencies, private organizations or individuals can be called upon by the Council to attend any Council meeting and assist the Council to resolve issues and problems that concern their respective offices.

Section 2. This Administrative Order shall take effect immediately.

Done in the City of Manila, this 19th day of May, in the year of our Lord, Nineteen Hundred and Ninety Six.

(Sgd.) FIDEL V. RAMOS

By the President
(Sgd.) LUIS C. LIWANAG II
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 274

ASSIGNING, TRANSFERRING AND CONVEYING IN FEE SIMPLE TO THE NATIONAL HOUSING AUTHORITY A PARCEL OF LAND OF THE OLD CAINTA ROAD, A DEAD END RIGHT OF WAY, SITUATED IN THE BARRIO OF SANTOLAN, PASIG CITY, METRO MANILA

WHEREAS, pursuant to Presidential Decree No. 757, dated July 31, 1975, the National Housing Authority is empowered to acquire lands of public domain and/or, privately owned land for purposes of physical and socio-economic housing, developmental, resettlement and related services and facilities;

WHEREAS, the National Housing Authority has acquired through expropriation/negotiation, the privately-owned lands within what is now known as the Karangalan Village (Pasig Sites and Services Project) from their respective owners;

WHEREAS, in the course of upgrading and development of the project, certain road lot, which is a dead end right of way located in Phase II of the project, containing an approximate area of Three Thousand Two Hundred Thirteen (3,213) Square Meters, was included in and made part of the project components, the improvement and development of which has been undertaken by the National Housing Authority;

WHEREAS, the National Housing Authority caused the boundary survey of the said lot, the survey returns of which shall be submitted to the Land Management Services for approval upon the issuance of the Administrative Order by the President of the Philippines;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order and decree the following:

SECTION 1. The title to and ownership of that Old Cainta Road or Dead End Right of Way situated in the Barrio of Santolan (Phase II) of the Karangalan Village (Pasig Sites and Services Project), Pasig City, Metro Manila, which is more particularly described in the attached technical descriptions marks as Annex "A", is hereby assigned, transferred and conveyed in fee simple to the National Housing Authority.

SEC. 2. The said Old Kainta Road Lot or Dead End Right of Way, containing an approximate area of Three Thousand Two Hundred Thirteen (3,213) Square Meters shall form part of the Karangalan Village (Pasig Sites and Services Project) being administered by the National Housing Authority and the rights and obligations of the project beneficiaries therein shall be governed by Presidential Decree No. 757 dated July 31, 1975.

SEC. 3. The parcel of land herein granted shall be subject to final survey and private rights if there be any,

SEC. 4. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 14th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Reference: Annex A

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 275
**CONSTITUTING A COORDINATING COMMITTEE FOR THE CONDUCT OF A PHILIPPINE
PARTNER COUNTRY PRESENTATION AT THE 1998 HANNOVER FAIR**

WHEREAS, the Philippine Government, in its desire to scout for partners in the European Community will organize a Philippine Partner Country Presentation in the 1998 Hannover Industry Fair by presenting the Philippine Economic Plan coinciding with the Centennial Celebration as a venue to showcase the country's growth, achievements and potentials;

WHEREAS, the Partner Country Presentation at the Hannover Fair provides a major opportunity for attracting prospective investors, businessmen, tourists from Germany and other European countries and shall further heighten world awareness of the business potentials, history, and culture of the Philippines;

WHEREAS, there is a need to constitute an organizing committee to organize and supervise the conduct of the Presentation during the Hannover Fair.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Constitution of Coordinating Committee for the Philippine Partner Presentation in the 1998 Hannover Fair.* A Coordinating Committee (hereinafter referred to as the "Committee") is hereby constituted to oversee and undertake the necessary presentations for the Philippine Country Partner Presentation in the 1998 Hannover Fair.

SEC. 2. *Composition.* The Committee shall be Chaired by the Secretary of the Department of Trade and Industry and Vice-Chaired by the Secretary of the Department of Tourism. The Committee shall have the following members:

- a. Secretary of the Department of Foreign Affairs
- b. Secretary of the Department of Agriculture
- c. Secretary of the Department of Environment and Natural Resources
- d. Secretary of the Department of Transportation and Communications
- e. Secretary of the Department of Science and Technology
- f. Director-General of the National Economic Development Authority
- g. Executive Director of Center for International Expositions and Missions (CITEM)
- h. President of the Philippine Centennial Commission
- i. President of the Philippine Exporters Confederation
- j. One representative from the Office of the President
- k. One representative from the Department of Finance
- l. One representative from the Department of Budget and Management
- m. One representative from the Philippine Economic Zone Authority
- n. One representative from the Subic Bay Metropolitan Authority

- o. One representative from the Clark Development Corporation
- p. One representative from the Duty Free Philippines
- q. One representative from the Philippine Amusement and Gaming Corporation

SEC. 3. *Functions.* The Committee shall exercise the following functions and responsibilities:

- a. Act as the coordinating body between the private sector and various government agencies for the smooth implementation of the Partner Country Presentation.
- b. Ensure that the economic advantages of the Partner Country Presentation are maximized through a concerted and cost-effective country approach.
- c. Select the theme, concept and message of the Partner Country Presentation as may be acceptable to both the Governments of Philippines and Germany.
- d. Ensure the safety and protection of government and personal properties, exhibit materials and special effects needed to complete the Partner Country Presentation.
- e. Seek the assistance of and coordinate with private entities, associations, foundations, cooperatives, and other non-governmental organizations, in implementing the Partner Country Presentation and meeting the necessary requirements for the Presentation.
- f. Call on any department, bureau or office of the Government, including Government-Owned and Controlled-Corporations to render such assistance as it may need in the discharge of its functions.

SEC. 4. *Secretariat.* The Committee, through the Chairman, shall organize a Secretariat to service its administrative and technical requirements. The Secretariat will be based within the premises of CITEM. The Secretariat shall be composed of personnel detailed to the Committee from member-agencies, with the Chairman determining the number desired and the duration of their assignment.

SEC. 5. *Funding.* An amount of **TWO MILLION PESOS (P2,000,000)** shall serve as the initial Philippine Government contribution to the Partner Country Presentation. Sourcing for the fund shall be determined jointly by the Chairman and the Department of Budget and Management. The government agencies or instrumentalities represented in the Committee are hereby authorized to draw from their respective budget for Fiscal Year 1997, additional funds need to finance the Presentation.

The Committee may also solicit donations, grants, contribution, sponsorships, and any form of assistance from private or government entities.

SEC. 6. *Term of Committee.* The Committee shall cease to exist upon termination of the Project in April 1998.

SEC. 7. *Submission of Quarterly Reports.* The Committee shall submit a report on the status of preparations for the Partner Country Presentation to the President in September 1996, and every quarter thereafter.

SEC. 8. *Effectivity.* This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 18th day of June, in the year of our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 275-A
AMENDING ADMINISTRATIVE ORDER NO. 275, SERIES OF 1996, ENTITLED
“CONSTITUTING A COORDINATING COMMITTEE FOR THE CONDUCT OF PHILIPPINE
PARTNER COUNTRY PRESENTATION AT THE 1998 HANNOVER FAIR”

WHEREAS, Administrative Order No. 275 dated 18 June 1996 constituted the Coordinating Committee for the Conduct of a Philippine Partner Country Presentation at the 1998 Hannover Fair to oversee and undertake the necessary preparations for the Philippine Country Partner Presentation in the 1998 Hannover Fair;

WHEREAS, it is necessary to identify the agency which shall serve as the Project Secretariat -- the nerve center for all pre- and post-fair activities, and which shall integrate all efforts towards the successful implementation of the Partner Country Project;

WHEREAS, marketing and promotional activities have to be undertaken immediately in view of the scope and magnitude of the Project and its impact on the Philippines as a newly-industrializing economy by the year 2000.

NOW, THEREFORE, I, FIDEL V. RAMOS, by virtue of the powers vested in me by law and the Constitution do hereby order the amendment of Administrative Order No. 275 dated 18 June 1996:

SECTION 1. Section 4 (Secretariat) of Administrative Order No. 275 is hereby amended to read as follows:

“**SEC. 4. Secretariat.** The Center for International Trade Expositions and Missions (CITEM) shall act as the Project Secretariat. As such, it shall service the Committee’s technical and administrative requirements and shall be authorized, through its Executive Director, to negotiate and conclude contracts relative to the Project, including those covering the services of consultants and contractuels whose terms of office shall end no later than two (2) months after the conclusion of the Project. The Chairman may also detail additional personnel from member-agencies to assist the Secretariat.”

SEC. 2. Section 5 (Funding) of Administrative Order No. 275 is hereby amended to read as follows:

“**SEC. 5. Funding.** An amount of **TEN MILLION PESOS (₱10,000,000.00)** shall serve as the initial Philippine Government contribution to the Partner Country Presentation to be sourced from the President’s Contingent Fund and/or other sources as may be identified by the Department of Budget and Management. The government agencies or instrumentalities represented in the Committee are hereby

authorized to draw from their respective budget for Fiscal Year 1997, additional funds needed to finance their presentation.

The Committee may also solicit donations, grants, contributions, sponsorships, and any form of assistance from private or government entities.

SEC. 3. This Administrative Order modifies Administrative Order No. 275 dated 18 June 1996 and all orders, issuances, rules and regulations or parts thereof inconsistent thereto.

SEC. 4. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 12th day of February, in the year of our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
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ADMINISTRATIVE ORDER NO. 276

Based on the records available on file and in the possession of Malacañang Records Office, Administrative Order No. 276 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

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MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 277

**DIRECTING PARTICIPATING NATIONAL GOVERNMENT AGENCIES AND LOCAL
GOVERNMENT UNITS TO ENSURE THE SPEEDY IMPLEMENTATION OF THE NATIONAL
HEALTH INSURANCE PROGRAM AND FOR OTHER PURPOSES**

WHEREAS, the *Philippine Constitution* declares that the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost; and that priority for the needs of the underprivileged, sick, elderly, disabled, women, and children shall be recognized; and that it shall be the policy of the State to provide free medical care to paupers;

WHEREAS, RA 7875: *The National Health Insurance Act of 1995* has been enacted in line with the declared policy of the State to provide adequate social services and improved quality of life for all, and for this purpose, the State shall adopt an integrated and comprehensive approach towards health development;

WHEREAS, the *Ten-Year Public Investment Plan for the Health Sector (1994-2004)* identifies national health insurance as one of its priority public investment packages towards a national framework for universal insurance coverage;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Five-Year Phased-In Implementation of the Indigent Component of the National Health Insurance Program. The Philippine Health Insurance Corporation is hereby directed to conduct actuarial studies to show the viability of the Indigent Component of the NHIP and to ensure that the NHIP shall have covered at least the poorest twenty five percent of the population within a period of five years.

SEC. 2. Directive to Department of Finance. The DOF is hereby directed to ensure the effective resource mobilization for the implementation of the NHIP, particularly with regard to the fund sources identified by Sec. 1 (4) of RA 7917, Sec. 3 par. 2 of RA 7654, and Sec. 22 (b) of RA 7660 and other pertinent laws.

SEC. 3. Directive to Department of Budget and Management. The DBM is hereby directed to allocated funds as may be necessary and subject to the approved fiscal program of the national government, for premium subsidy and employer's counterpart contribution for the Medicare Program and include the same in the annual General Appropriations Act.

SEC. 4. Directive to the Oversight Committee on the Local Government Code. The Oversight Committee on the Local Government Code is hereby directed to work with the PHIC in addressing the issue of devolution funding difficulties vis-a-vis the local government units' counterpart contribution to the Indigent premium subsidy.

SEC. 5. Directive to the Philippine Information Agency. The PIA, in close coordination with the PHIC, shall formulate a comprehensive communication plan with the corresponding budgetary requirement for an effective implementation of the NHIP.

SEC. 6. Directive to Local Government Units. The LGUs are hereby directed to ensure the immediate and effective implementation of the Indigent component of the NHIP in their respective jurisdiction. To this end, the LGUs are directed to prioritize the NHIP in their annual social development plans.

SEC. 7. Effectivity. This Administrative Order shall take effect immediately.

DONE, in the City of Manila, this 25th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 278

**DISPOSAL OF THE TWO (2) 501-F TURBINES AS PART OF THE PROCEEDS FROM THE
WESTINGHOUSE SETTLEMENT RELATIVE TO CIVIL ACTION NO. 88-5150 DRD AND
ARBITRATION CASE NO. 6401/BGD**

WHEREAS, the Presidential Committee on the Bataan Nuclear Power Plant (BNPP), created under Executive Order No. 315 dated 04 January 1988, as amended, to oversee, supervise and coordinate all legal claims and options, loans and financial obligations and maintenance and preservation, including the disposition or liquidation of all assets relating to the BNPP, has fully implemented all legal claims and actions relating to BNPP;

WHEREAS, on 13 October 1995, a Settlement Agreement was executed by and among Westinghouse Electric Corporation, Westinghouse Electric S.A., Westinghouse International Projects Company (together referred to as “Westinghouse”), Burns and Roe Enterprises, Inc. (“Burns & Roe”), the Republic of the Philippines and National Power Corporation (“NPC”), which together shall sometimes be referred to as the “Republic”, relative to the lawsuits filed in the United States District Court of New Jersey (Civil Action No. 88-5150 DRD) and before the International Chamber of Commerce (Arbitration Case No. 6401/BGD);

WHEREAS, pursuant to the Settlement Agreement entered into by and among Westinghouse, Burns & Roe and the Republic, Westinghouse offered to the Republic a settlement consisting of two (2) units of 501-F Gas Turbines, 100 MW each, and US\$40.3 million in cash, the latter of which has been received by the National Government;

WHEREAS, following the settlement by Westinghouse and Burns and Roe to the Republic, the Republic irrevocably, fully and forever releases, discharges, waives and renounces any and all claims against Westinghouse arising out of the lawsuits filed in the United States District Court of New Jersey (Civil Action No. 88-5150 DRD), and before the International Chamber of Commerce (Arbitration Case No. 6401/BGD);

WHEREAS, by virtue of Section 2 Executive Order No. 55, the National Government, as guarantor of the foreign loans contracted by the National Power Corporation (NPC) to finance the construction of BNPP Plant, assumed all the remaining foreign obligations, including but not limited to interest charges, with the foreign lenders, thereby transferring the corresponding obligations from NPC. Likewise, the National Government assumed all the peso obligations incurred by NPC to finance the construction of the BNPP.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The National Power Corporation (NPC) shall conduct the disposition of the two (2) 501-F Gas Turbines in behalf of the National Government.

SEC. 2. The conduct of disposition shall be in accordance with existing rules and procedures. The Department of Finance (DOF) shall have the final approval with respect to the price and buyer and other terms of the disposition.

SEC. 3. The timing of disposition, including other specifics of the disposition arrangement between DOF and NPC, shall be contained in a Memorandum of Agreement between the two offices which shall be submitted to the Office of the President for approval within one hundred twenty (120) days from receipt of this Order.

SEC. 4. The proceeds from the sale of the subject turbines shall be remitted to the Bureau of the Treasury and credited to a Special Account under the General Fund. The proceeds therefrom shall be earmarked for expenses relative to the BNPP account transferred to the National Government and any excess/shortfall shall be reverted to/taken from the common fund under the General Fund, subject to existing rules and regulations.

SEC. 5. This Administrative Order shall take effect immediately.

DONE in the City of Manila, the 1st day of July, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

ADMINISTRATIVE ORDER NO. 279

Based on the records available on file and in the possession of Malacañang Records Office, Administrative Order No. 279 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

ADMINISTRATIVE ORDER NO. 280

Based on the records available on file and in the possession of Malacañang Records Office, Administrative Order No. 280 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 281
LAUNCHING OF THE “NATIONAL TEPOK LAMOK
AND DENGUE SAPOK” PROGRAM

WHEREAS, Section 15, Article II, of the Philippine Constitution provides that, “the State shall protect and promote the right to health of the people and instill health consciousness among them”;

WHEREAS, there is a reported increase in the incidence of cases of dengue fever in Asia and in the country;

WHEREAS, there is need to undertake preventive and control measures to address the increase in dengue fever cases; and

WHEREAS, this will require concerted and collaborative efforts among the various national and local government agencies and the private sector.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by Law and the Constitution, do hereby direct the following:

SECTION 1. Establishment of the “National Tepok Lamok, Dengue Sapok” Program. A nationwide simultaneous clean-up operation and elimination of mosquito-breeding places, to be known as the National Tepok Lamok, Dengue Sapok Program is hereby established.

SEC. 2. Participation of National Agencies and Local Government Units. All nationwide agencies particularly, the Departments of Health (lead), Interior and Local Government, Social Welfare and Development, Environment and Natural Resources, Public Works and Highways, Education, Culture and Sports, National Disaster Coordinating Council, Office of the Press Secretary, and the Metro Manila Development Authority, as well as local government units are hereby directed to actively participate in the Program.

SEC. 3. Launching of the Program. The Program shall be launched on 02 August 1996 which shall highlight a nationwide mass elimination of mosquito breeding places and observance of the **four o’clock habit**, whereby every citizen is enjoined to actively participate in the mass movement to eliminate breeding places of dengue at four o’clock in the afternoon everyday.

SEC. 4. Role of Local Government Units and Involvement of NGOs, POs and Private Sector. The local government units, in coordination with concerned agencies, shall ensure continued observance of the four o’clock habit and the sustained prevention and elimination of mosquito breeding places at the community level. They shall also be responsible for mobilizing the community, especially, the barangays, churches, non-government organizations, people’s organizations, and the private sector in the Program.

SEC. 5. Conduct of Information-Dissemination Campaign. The Office of the Press Secretary in coordination with the Department of Health and other concerned agencies shall undertake a massive tri-media information-dissemination campaign to educate and raise public awareness on dengue prevention and control.

Sec. 6. Inclusion in Health Education Classes. The Department of Education, Culture and Sports, shall include in its health education classes, preventive and control measures against dengue fever.

Sec. 7. Funding. The funds necessary for the implementation of the Program shall be sourced from the respective budgets of the concerned agencies and local government units.

Sec. 8. Submission of Regular Reports. The Department of Health shall submit regular reports to the Office of the President on the status of dengue cases and the implementation of the Program.

Sec. 9. Effectivity. This Administrative Orders shall take effect immediately.

DONE, in the City of Manila, this 23rd day of July, in the year of our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 282
DIRECTING STRICT COMPLIANCE WITH THE COMPENSATION STANDARDIZATION LAW
BY LOCAL GOVERNMENTS

WHEREAS, in pursuance of Section 5, Article IX-B of the constitution directing the standardization of compensation in the government, Congress enacted R.A. No. 6758, the Compensation and Position Classification Act of 1989 otherwise known as the Compensation Standardization Law;

WHEREAS, Section 81 of R.A. 7160, the Local Government Code, provides that compensation in the local government units as determined by the sanggunian concerned shall be circumscribed by R.A. 6758;

WHEREAS, pursuant to Section 4, Art. V of the Constitution and Section 25 of RA 7160, the President shall exercise general supervision over local government units to ensure that their acts are within the scope of their prescribed powers and functions;

WHEREAS, Administrative Order No. 42 issued on May 3, 1993 clarified the authority of the Department of Budget and Management to issue policies and guidelines on position classification and compensation in the local government units and affirmed the continued adoption of the Compensation Standardization Law in the local government units;

WHEREAS, notwithstanding the unified Position Classification and Compensation System already in place in the government in consonance with the constitutional mandate, some local government units authorize compensation not consistent with the rules and regulations pertaining thereto issued by the DBM;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and direct:

SECTION 1. Provinces/Cities/Municipalities/Barangays are hereby directed to adhere strictly to the provisions of R.A. 6758 as amended under Joint Resolution No. 1, s. 1994 of the Senate and House of Representatives and implemented by the rules, policies and guidelines issued for the purpose by the Department of Budget and Management.

SEC. 2. Any grant of salary adjustments and other forms of compensation to officials and employees in any manner inconsistent with the provisions of said law, rules and regulations is strictly prohibited.

SEC. 3. Violation of the Compensation Standardization Law, its implementing rules and regulations shall subject officials responsible thereto to administrative and criminal sanctions.

SEC. 4. In the review and evaluation of the request for allotment specially for personal services, the Municipal/City/Provincial Budget Officers shall ensure that such allotment conforms with existing rules, policies and guidelines on the matter.

SEC. 5. The review of the budgets of component cities and municipalities shall always be based on and in pursuance of the pertinent provisions, rules and regulations of the Compensation Standardization Law.

SEC. 6. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 25th day of July, in the year of Our Lord, Nineteen Hundred Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 283
IMPOSING THE PENALTY OF DISMISSAL FROM THE SERVICE WITH FORFEITURE OF ALL
BENEFITS UNDER THE LAW ON STATE PROSECUTOR I MOSIB M. LIMBAO,
DEPARTMENT OF JUSTICE

This refers to the administrative complaint filed against State Prosecutor I Mosib M. Limbao, Office of the Chief State Prosecutor (on detail with the Office of the City Prosecutor of Kalookan and assigned at the Malabon Prosecution Sub-Office) for grave misconduct.

Records shows that on July 14, 1995, Daniel Ico went to the Bulacan District Office of the National Bureau of Investigation (NBI) to complain Prosecutor Limbao's alleged demand of ₱2,000.00 in exchange for a favorable resolution of the estafa complaint (I.S. No. 95-462) he (Ico) filed against Lorna Lodronio, et al., with the Office of the City Prosecutor of Caloocan, Malabon Prosecution Sub-Office. Ico was then instructed by the NBI to ascertain if respondent prosecutor was persistent on his demand. On July 18, 1995, Ico returned to the NBI office confirming respondent's demand and informed said office that he was given until July 19, 1995 to produce the money. Preparatory to an entrapment operation, the NBI required Ico to execute a sworn statement relative to the said demand of Prosecutor Limbao and sought the assistance of its Forensic Chemistry Division which marked and dusted with fluorescent powder twenty (20) pieces of ₱100.00-bill which were placed in a white envelope.

On July 19, 1995, NBI Special Investigator Reynaldo Olazo and two (2) other agents, together with Ico, proceeded to the Malabon Prosecution Sub-Office and arrived thereat at about 11:00 a.m.. Ico entered the office of respondent while Olazo and the two (2) NBI agents stayed outside to observe the transaction. Upon signal by Ico that the envelope was already in the possession of Prosecutor Limbao, Olazo and his companions went inside the room of respondent, introduced themselves and informed respondent that the money he had received was marked. Respondent, however, insisted that he did not receive anything from Ico. However, Olazo and the two (2) NBI agents discovered the white envelope which contained the marked money inside the drawer of respondent's table. Consequently, respondent was brought to the NBI Central Office in Manila for ultra-violet examination. The result showed that he was positive for yellow fluorescent powder specks on the dorsal and palmar aspects of his left and right hands.

During the formal investigation, Ico failed to appear despite three (3) subpoenas sent to his last known addresses. It was NBI Special Investigator Reynaldo Olazo and Asst. Regional Director Lolito V. Utitco who testified to the conduct of the entrapment operation and the marking of the twenty (20) pieces of ₱100.00-bill used in the said operation, respectively.

In exculpation, respondent denied the charge against him. He stated that the estafa complaint filed by Ico against the Lodronios had been assigned to him for preliminary investigation and that during the hearing on July 14, 1995, Ico informed him that a similar case was filed with the Prosecutor's Office, Navotas Sub-Office. He then told Ico to withdraw either his complaint in Malabon or the one in Navotas, and asked him to submit a copy of his complaint in Navotas on July 17, 1995. When Ico

left his office, he discovered that the check (PNB Check No. 666400 dated December 20, 1994, in the amount of ₱20,000.00) upon which Ico anchored his charge against the Lodronios was not attached to the record. On July 17, 1995, Ico appeared but without a copy of his complaint which he filed with the Navotas Sub-Office. Still, Ico insisted that his case be filed in court. Respondent then told Ico that there was no copy of the check subject of the criminal complaint and instructed Ico to give him a copy of the check in the following manner: “Bigyan mo ako ng kopya ng dalawampung libong tseke at ibigay mo sa akin hanggang Julio 19. Kung wala, hindi ko maresolve ang kaso.”

Respondent alleged that on July 19, 1995, at around 11:00 a.m., while he was in the process of drafting a resolution, Ico entered his room went to the left side of his table and then dropped in his table drawer, which was slightly open, a folded white letter envelope, after which Ico hurriedly left his room. He tried to catch up with Ico but he (Prosecutor Limbao) was met at the door by NBI agents who informed him that the money he received was marked money and that they were placing him under arrest. While inside his room, the NBI agents closed the door, took out the subject envelope from his drawer, examined its contents and took pictures thereof. Despite his protestations, the NBI agents invited him to the NBI Central Office for further investigation. While going out of his room, he was held in both hands by the same NBI agents who had earlier gotten hold of the white letter envelope and examined its contents (marked bills). This, according to respondent, explained the presence of yellow fluorescent powder on his hands. Finally, respondent stated that since Ico is a Muslim and not well versed in Tagalog, he could have misinterpreted his statement “bigyan mo ako ng kopya ng dalawampung libong tseke” as a demand for ₱2,000.00.

Respondent presented Ramon Matias and Alberto Bautista, a court employee and a businessman, respectively, as defense witnesses. Both testified that on the date and time in question, they saw Ico enter the room of respondent and, without saying anything, drop a white envelope on the drawer of respondent’s table.

State Prosecutor II Menrado V. Corpuz of the Department of Justice, who conducted the investigation, recommended the dismissal of the complaint for insufficiency of evidence. The Secretary of Justice, however, had a different view. He found substantial evidence to hold respondent Limbao administratively liable of the offense charged. Thus, he recommended that Prosecutor Limbao be meted the penalty of dismissal from the service with forfeiture of benefits under the law.

Upon review, we find the recommendation of the Secretary of Justice to be in order.

Respondent’s denial of the charge against him is weakened considerably when juxtaposed with the indisputable fact that the envelope containing the marked money was found in his drawer. His claims that Ico could have simply misinterpreted his instructions, for him to submit a copy of the ₱20,000.00 check, subject of the criminal complaint, and that the envelope containing the marked money was merely dropped in the drawer of his table, do not induce belief. The presence of fluorescent powder on the palmar and dorsal sides of both his hands belies the posture of innocence. Further, his explanation on why his hands tested positive for powder marks does not deserve credence. Moreover, the failure of Ico to appear during the formal investigation had very little effect on the charge proffered against respondent. The testimony of the two NBI agents and respondent’s own declaration proved that an envelope containing marked money was found in the drawer of his table; that this envelope was given by Ico; that respondent was tested positive for fluorescent powder; and that Ico had a criminal complaint for estafa assigned to him (respondent) for preliminary investigation.

As correctly pointed out by the Justice Secretary, respondent’s acts constitute the actionable administrative offense of grave misconduct. His commission of the acts complained of, being highly anomalous and reprehensible, erodes the credibility and impartiality demanded of a public prosecutor in regard to dispensing justice; and that although not unmindful of the repercussions in meting out

the extreme penalty of respondent's dismissal from the service, the interest of public service, being paramount, cannot be compromised by the unlawful acts committed which indubitably tarnished the prosecution arm of the government.

WHEREFORE, premises considered, State Prosecutor I Mosib M. Limbao, Office of the Chief State Prosecutor, Department of Justice, is hereby **DISMISSED** from the service with **FORFEITURE** of all benefits under the law effective upon receipt of a copy hereof.

DONE in the City of Manila, this 30th day of July, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 284
CREATING THE INTER-AGENCY COMMITTEE TO IMPROVE THE LAND AND WATER
INFORMATION AND REFERENCING SYSTEM IN THE PHILIPPINES

WHEREAS, there is need to review the present land and water information and referencing system in the country with a view to enhancing its responsiveness to the requirements of an efficient land titling system, tax mapping program, monitoring system for land and water environment and other government programs requiring accurate and sufficient information;

WHEREAS, the conduct of such review shall require the collaborative efforts of various government agencies to allow a comprehensive review of the system;

WHEREAS, there is need to establish a mechanism whereby these agencies can work together to accelerate the review and thus, enable government to address with dispatch the critical need for the above information system;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Creation of the Inter-Agency Committee on Land and Water Information and Referencing System.* An Inter-Agency Committee is hereby created to conduct a review of the present land and water information and referencing systems in the country with a view towards enhancing its use and management.

SEC. 2. *Composition.* The Committee shall have the following composition:

Chairman	- Executive Secretary
Co-Chairmen	- Secretary of Environment and Natural Resources Secretary of Justice
Members	- Director General, National Economic and Development Authority Secretary of Agrarian Reform Secretary of Agriculture Secretary of Science and Technology Secretary of Finance Secretary of Interior and Local Government Head, Housing & Land Use Regulatory Board

SEC. 3. *Scope of the Review.* The Committee shall undertake a review of the state of land and water information and referencing systems in the country towards determining the following:

1. Level of their responsiveness to the requirements of an efficient land titling system, tax mapping, monitoring system for land and water environment and other government programs requiring accurate and sufficient information on land and water;

2. Required level of integration of the land and water information and referencing systems of concerned agencies to ensure their maximum accessibility to both government and private sectors;
3. Appropriate institutional framework for the implementation of the system, including the agencies' individual accountabilities thereunder;
4. Terms of Reference of the project which the Committee may recommend to address and improve gaps in the present system;
5. Appropriate funding source and scheme to implement said project; *and*
6. Other review parameters which the Chairman may deem necessary.

SEC. 4. *Secretariat.* The National Mapping and Resource Information Authority of the DENR shall provide secretariat support to the Committee.

SEC. 5. *Technical Working Group.* The Committee shall constitute a Technical Working Group composed of representatives from the NAMRIA, Land Registration Authority, DA, DAR, DILG, DOE, NEDA, DPWH, DOST and HLURB to provide technical support in the conduct of the review. In addition, it may tap the services and assistance of other government agencies to accomplish its tasks. Resource persons from the private sector, including those from Interlink Asia of Australia, may likewise be invited for the same purpose.

SEC. 6. *Reporting.* The Committee shall submit to the President its review and findings, including its recommendations and draft action papers, within sixty (60) days from the effectivity of this Order.

SEC. 7. *Sunset Clause.* The Committee shall cease to exist after it has rendered its report to the President and turned over its working papers and other documents used in the review, to the Agency identified to undertake the above project.

SEC. 8. *Effectivity.* This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 12th day of August, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 285

DESIGNATING THE SPECIAL COMMITTEE ON NATURALIZATION CREATED UNDER LETTER OF INSTRUCTION NO. 270 DATED APRIL 11, 1975, AS AMENDED BY LETTER OF INSTRUCTION NO. 491 DATED DECEMBER 29, 1976 AS THE BODY TO IMPLEMENT THE PROVISIONS OF R. A. NO. 8171

WHEREAS, the Congress of the Philippines passed Republic Act No. 8171 entitled “An Act Providing For The Repatriation Of Filipino Women Who Have Lost Their Philippine Citizenship By Marriage To Aliens And Of Natural-Born Filipinos”;

WHEREAS, under Section 1 of R. A. No. 8171, Filipino women who have lost their Philippine citizenship by marriage to aliens and natural-born Filipinos who have lost their Philippine citizenship, including their minor children, on account of political or economic necessity, may reacquire Philippine citizenship through repatriation provided that the applicant does not belong to any of the disqualified class of persons as enumerated therein;

WHEREAS, R. A. No. 8171 did not designate which agency, body or committee shall determine who are qualified to avail of the benefits of repatriation and who are disqualified therefrom;

WHEREAS, the Special Committee on Naturalization, created under Letter of Instruction No. 270 dated April 11, 1975, as amended by Letter of Instruction No. 491 dated December 29, 1976, was designated by Presidential Decree No. 725 dated June 5, 1975 to receive and act on application for repatriation under said decree.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby designate the Special Committee on Naturalization as the implementing agency of R. A. No. 8171.

SECTION 1. Composition. - The composition of the Special Committee on Naturalization, with the Solicitor General as Chairman, the Undersecretary of Foreign Affairs and the Director-General of the National Intelligence Coordinating Agency, as members, shall remain as constituted.

SEC. 2. Procedure. - Any person desirous of repatriating or reacquiring Filipino citizenship pursuant to R. A. No. 8171 shall file a petition with the Special Committee on Naturalization which shall process the same. If their applications are approved they shall take the necessary oath of allegiance to the Republic of the Philippines, after which they shall be deemed to have reacquired Philippine citizenship. The Commission on Immigration and Deportation shall thereupon cancel their certificate of registration.

SEC. 3. Implementing Rules. - The Special Committee is hereby authorized to promulgate rules and regulations and prescribe the appropriate forms and the required fees for the processing of petitions.

SEC. 4. Effectivity. - This Administrative Order shall take effect immediately.

Done in the City of Manila, this 22nd day of August, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 286
RECONSTITUTING TASK FORCE MALMAR AS
THE CENTRAL MINDANAO DEVELOPMENT TASK FORCE

WHEREAS, it is government's policy to ensure that the implementation of development programs and projects is undertaken in a coordinated and synchronized manner to provide maximum benefits to our people;

WHEREAS, certain areas of Central Mindanao, specifically within Cotabato and Maguindanao, were beset by peace and order problems arising out of the implementation of the Malitubog-Maridagao Irrigation Project in Carmen, North Cotabato and adjacent areas;

WHEREAS, Administrative Order No. 155, dated 8 November 1994, created Task Force MALMAR to undertake an integrated development and security/law enforcement operations to facilitate normalization of the peace and order condition and the socio-economic development of Carmen, Aleosan, Pikit, and Kabakan, all in Cotabato, Pagalungan in Maguindanao, and other areas in the vicinity that may be subsequently included in the area of responsibility of the Task Force; and

WHEREAS, there is need to continue and pursue the developmental work being undertaken by Task Force MALMAR in order to sustain improvements in the living conditions of the people in MALMAR area and the whole of Cotabato and Maguindanao.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order:

SECTION 1. RECONSTITUTION OF TASK FORCE MALMAR AS CENTRAL MINDANAO DEVELOPMENT TASK FORCE. Task Force MALMAR (created through Administrative Order No. 155, dated 8 November 1994) is hereby reconstituted as the Central Mindanao Development Task Force for the integrated and synchronized implementation of special economic and social development projects in Central Mindanao, specifically the whole of Cotabato and Maguindanao.

SEC. 2. COMPOSITION OF THE CENTRAL MINDANAO DEVELOPMENT TASK FORCE. The Central Mindanao Development Task Force shall be headed by a representative/officer from the Department of Agriculture (DA) to be designated by the Secretary of Agriculture, or any individual designated/appointed by the President, with representatives/personnel from the following agencies as members to be designated by their respective Secretaries:

- a. Department of Agriculture (DA);
- b. Department of Public Works and Highways (DPWH);
- c. Department of the Interior and Local Government (DILG);
- d. Department of Environment and Natural Resources (DENR);
- e. Department of Agrarian Reform (DAR);
- f. Department of Budget and Management (DBM);
- g. Department of Energy (DOE);

- h. Department of Trade and Industry (DTI);
- i. Department of Social Welfare and Development (DSWD);
- j. Department of Health (DOH); and
- k. Department of Transportation and Communications (DOTC).

The Central Mindanao Development Task Force may invite representatives from the Autonomous Region for Muslim Mindanao (ARMM) and Regional Development Council-XII, local government units, non-government organizations and peoples organizations, and religious, political, and civic groups to act as consultants and/or advisers to the Task Force.

SEC. 3. FUNCTIONS OF THE CENTRAL MINDANAO DEVELOPMENT TASK FORCE. The Central Mindanao Development Task Force shall have the following functions:

- a. Pursue the implementation of economic and social development programs and projects undertaken by the Task Force MALMAR created under Administrative Order No. 155 (dated 8 November 1994).
- b. Implement a multi-agency development program to promote the sustained economic and social development of Central Mindanao, specifically the whole of Cotabato and Maguindanao, in consultation with concerned local government units, national government agencies, non-government organizations and peoples organizations, and religious, political, and civic groups;
- c. Adopt a process of maximum consultation with local government units, other national government agencies, non-government organizations and peoples organizations, and religious, political, and civic groups in the preparation, updating, and implementation of economic and social development programs and projects for Central Mindanao, specifically the whole of Cotabato and Maguindanao;
- e. Cause, oversee, and facilitate the formulation and implementation of special economic and social development projects for Central Mindanao, specifically the whole of Cotabato and Maguindanao;
- f. Formulate innovative schemes to provide opportunities for the private sector to pursue development projects within Central Mindanao, specifically the whole of Cotabato and Maguindanao;
- g. Pool, manage, and coordinate government resources and immediately implement identified priority economic and social development programs and projects in Central Mindanao, specifically the whole of Cotabato and Maguindanao;
- h. Submit regular accomplishment reports to the President; and
- i. Perform such other tasks as may be assigned by the President.

SEC. 4. SECRETARIAT/PROJECT MANAGEMENT GROUP. The Central Mindanao Development Task Force shall have a Secretariat/Project Management Group composed of a representative/officer from the DA to be designated by the Secretary of Agriculture or any individual designated/appointed by the President (who will also act as Executive Director) and representatives/personnel from the member-agencies of the Task Force to be designated by their respective Secretaries. The Secretariat/Project Management Group shall have the following functions:

- a. Manage and oversee the planning and implementation on the ground of development projects identified by the Task Force;

- b. Liaise with various national government agencies, local government units, non-government organizations and peoples organizations, and religious, political, and civic groups to ensure the timely and successful implementation of development projects identified by the Task Force;
- c. Consolidate/integrate various Task Force projects and activities;
- d. Provide over-all technical and secretariat support to the Task Force; and
- e. Submit regular reports to the Task Force.

SEC. 5. PERSONNEL AND RESOURCES. The member agencies of the Central Mindanao Development Task Force shall contribute equipment and personnel (on detail) to the Task Force and the Secretariat/Project Management Group. All member-agencies of the Central Mindanao Development Task Force shall contribute funds for the operation of the Task Force and the Secretariat/Project Management Group.

SEC. 6. LINKAGING WITH MILITARY AND POLICE. The concerned military and police units in the areas covered by the Central Mindanao Development Task Force shall provide assistance, as may be appropriate, to maintain peace and order in the area.

SEC. 7. REPEALING CLAUSE. All Administrative Orders, rules and regulations, and other similar issuances, or parts thereof, which are inconsistent herewith are hereby repealed or modified accordingly.

SEC. 8. EFFECTIVITY. This Administrative Order shall take effect immediately.

DONE, in the City of Manila, this 3rd day of September, in the Year of our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 287
RECONSTITUTING THE BASILAN INTER-AGENCY TASK FORCE AS
THE BASILAN DEVELOPMENT TASK FORCE

WHEREAS, it is government's policy to ensure that the implementation of development programs and projects is undertaken in a coordinated and synchronized manner to provide maximum benefits to our people;

WHEREAS, the province of Basilan was beset by peace and order problems and other man-made disasters which hampered its growth and development;

WHEREAS, Administrative Order No. 139, dated 19 July 1994, created the Basilan Inter-Agency Task Force for the integrated conduct of development and security/law enforcement operations to clear Basilan of lawless elements and facilitate the normalization of the peace and order condition and socio-economic development of the province; and

WHEREAS, there is a need to sustain the developmental work being undertaken by the Basilan Inter-Agency Task Force in order to accelerate improvements in the living conditions of the people of Basilan.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order:

SECTION 1. CONSTITUTION OF THE BASILAN DEVELOPMENT TASK FORCE. The Basilan Inter-Agency Task Force (created through Administrative Order No. 139 dated 19 July 1994) is hereby reconstituted into the Basilan Development Task Force for the integrated and synchronized implementation of special economic and social development projects in the province of Basilan.

SEC. 2. COMPOSITION OF THE BASILAN DEVELOPMENT TASK FORCE. The Basilan Development Task Force shall be headed by a representative/officer from the Department of Interior and Local Government (DILG) to be designated by the Secretary of the Interior and Local Government, with representatives/personnel from the following agencies as members, to be designated by their respective Secretaries:

- a. Department of Public Works and Highways (DPWH);
- b. Department of Environment and Natural Resources (DENR);
- c. Department of Agriculture (DA);
- d. Department of Agrarian Reform (DAR);
- e. Department of Budget and Management (DBM);
- f. Department of Energy (DOE);
- g. Department of Education, Culture, and Sports (DECS);
- h. Department of Trade and Industry (DTI);
- i. Department of Social Welfare and Development (DSWD);

- j. Department of Health (DOH); and
- k. Department of Transportation and Communications (DOTC).

The Basilan Development Task Force may invite representatives from the Regional Development Council IX, local government units, non-government organizations and peoples organizations, and religious, political, and civic groups to acts as consultants and/or advisers to the Task Force.

SEC. 3. FUNCTIONS OF THE BASILAN DEVELOPMENT TASK FORCE. The Basilan Development Task Force shall have the following functions:

- a. Pursue the implementation of economic and social development programs and projects undertaken by the Basilan Inter-Agency Task Force created under Administrative Order No. 139 (date 19 July 1994).
- b. Implement a multi-agency development programs to promote the sustained economic and social development of the province of Basilan, in consultation with concerned local government units, national government agencies, non-government organizations and peoples organizations, and religious, political, and civic groups;
- c. In coordination with the Presidential Commission for Countryside Development, pursue and update (as appropriate) the Terms of Reference for the economic and social development of the province of Basilan prepared by the Basilan Inter-Agency Task Force created under Administrative Order No. 139 (date 19 July 1994).
- d. Adopt a process of maximum consultation with local government units, other national government agencies, non-government organizations and peoples organizations, and religious, political, and civic groups in the preparation, updating, and implementation of economic and social development programs and projects for the province of Basilan;
- e. Cause, oversee, and facilitate the formulation and implementation of special economic and social development programs and projects for the province of Basilan;
- f. Formulate innovative schemes to provide opportunities for the private sector to pursue development projects within the province of Basilan;
- g. Pool, manage, and coordinate government resources and immediately implement identified priority economic and social development programs and projects in Basilan;
- h. Submit regular accomplishment reports to the President; and
- i. Perform such other tasks as may be assigned by the President.

SEC. 4. SECRETARIAT/PROJECT MANAGEMENT GROUP. The Basilan Development Task Force shall have a Secretariat/Project Management Group composed of a representative/officer from the DILG (who will also act as Executive Director) to be designated by the Secretary of the Interior and Local Government, and representatives/personnel from the member-agencies of the Task Force to be designated by their respective Secretaries. The Secretariat/Project Management Group shall have the following functions:

- a. Manage and oversee the planning and implementation on the ground of development projects identified by the Task Force;
- b. Liaise with various national government agencies, local government units, non-government organizations and peoples organizations, and religious, political, and civic groups to ensure the timely and successful implementation of development projects identified by the Task Force;

- c. Consolidate/integrate various Task Force projects and activities;
- d. Provide over-all technical and secretariat support to the Task Force; and
- e. Submit regular reports to the Task Force.

SEC. 5. PERSONNEL AND RESOURCES. The member agencies of the Basilan Development Task Force shall contribute equipment and personnel (on detail) to the Task Force and the Secretariat/Project Management Group. All member-agencies of the Basilan Development Task Force shall contribute funds for the operation of the Task Force and the Secretariat/Project Management Group.

SEC. 6. LINKAGING WITH MILITARY AND POLICE UNITS. The concerned military and police units in the areas covered by the Basilan Development Task Force shall provide assistance, as may be appropriate, to maintain peace and order in the area.

SEC. 7. REPEALING CLAUSE. All Administrative Orders, rules and regulations, and other similar issuances, or parts thereof, which are inconsistent herewith are hereby repealed or modified accordingly.

SEC. 8. EFFECTIVITY. This Administrative Order shall take effect immediately.

DONE, in the City of Manila, this 3rd day of September, in the Year of our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 288
CONSTITUTING THE SULU DEVELOPMENT TASK FORCE

WHEREAS, it is government's policy to ensure that the implementation of development programs and projects is undertaken in a coordinated and synchronized manner to provide maximum benefits to our people;

WHEREAS, the province of Sulu was beset by peace and order problems and other man-made disasters which hampered its growth and development; and

WHEREAS, there is need to implement a coordinated effort to accelerate the development of Sulu and improve the living conditions of its people.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order:

SECTION 1. CONSTITUTION OF THE SULU DEVELOPMENT TASK FORCE. There is hereby constituted a Sulu Development Task Force for the integrated and synchronized implementation of special economic projects in the province of Sulu.

SEC. 2. COMPOSITION OF THE SULU DEVELOPMENT TASK FORCE. The Sulu Development Task Force shall be headed by a representative/officer from the Department of Public Works and Highways (DPWH) to be designated by the Secretary of Public Works and Highways, or any individual designated/appointed by the President, with representatives/personnel from the following agencies as members to be designated by their respective Secretaries:

- a. Department of Public Works and Highways (DPWH);
- b. Department of the Interior and Local Government (DILG);
- c. Department of Environment and Natural Resources (DENR);
- d. Department of Agriculture (DA);
- e. Department of Agrarian Reform (DAR);
- f. Department of Budget and Management (DBM);
- g. Department of Energy (DOE);
- h. Department of Education, Culture, and Sports (DECS);
- i. Department of Trade and Industry (DTI);
- j. Department of Social Welfare and Development (DSWD);
- k. Department of Health (DOH); and
- l. Department of Transportation and Communications (DOTC).

The Sulu Development Task Force may invite representatives from ARMM, local government units, non-government organizations and peoples organizations, and religious, political, and civic groups to act as consultants and/or advisers to the Task Force.

SEC. 3. FUNCTIONS OF THE SULU DEVELOPMENT TASK FORCE. The Sulu Development Task Force shall have the following functions:

- a. Implement a multi-agency development program to promote the sustained economic and social development of the province of Sulu, in consultation with concerned local government units, national government agencies, non-government organizations and peoples organizations, and religious, political, and civic groups;
- b. In coordination with the Presidential Commission for Countryside Development, prepare the Terms of Reference for the development of the province of Sulu;
- c. Adopt a process of maximum consultation with local government units, other national government agencies, non government organizations and peoples organizations, and religious, political, and civic groups in the preparation, updating, and implementation of economic and social development programs and projects for the province of Sulu;
- d. Cause, oversee, and facilitate the formulation and implementation of special economic and social development projects for the province of Sulu;
- e. Formulate innovative schemes to provide opportunities for the private sector to pursue development projects within the province of Sulu;
- f. Pool, manage, and coordinate government resources and immediately implement identified priority economic and social development programs and projects in Sulu;
- g. Submit regular accomplishment reports to the President; and
- h. Perform such other tasks as may be assigned by the President.

SEC. 4. SECRETARIAT/PROJECT MANAGEMENT GROUP. The Sulu Development Task Force shall have a Secretariat/Project Management Group composed of a representative/officer from the DPWH to be designated by the Secretary of Public Works and Highways, or any individual designated/appointed by the President (who will also act as Executive Director) and representatives/personnel from the member-agencies of the Task Force to be designated by their representative Secretaries. The Secretariat/Project Management Group shall have the following functions:

- a. Manage and oversee the planning and implementation on the ground of development projects identified by the Sulu Development Task Force;
- b. Liaise with various national government agencies, local government units, non government organizations and peoples organizations, and religious, political, and civic groups to ensure the timely and successful implementation of development projects identified by the Task Force;
- c. Consolidate/integrate various Task Force projects and activities;
- d. Provide over-all technical and secretariat support to the Task Force; and
- e. Submit regular reports to the Task Force.

SEC. 5. PERSONNEL AND RESOURCES. The member agencies of the Sulu Development Task Force shall contribute equipment and personnel (on detail) to the Task Force and the Secretariat/Project Management Group. All member-agencies of the Task Force shall contribute funds for the operation of the Task Force and the Secretariat/Project Management Group.

SEC. 6. LINKAGING WITH MILITARY AND POLICE. The concerned military and police units in the areas covered by the Sulu Development Task Force shall provide assistance, as may be appropriate, to maintain peace and order in the area.

SEC. 7. REPEALING CLAUSE. All Administrative Orders, rules and regulations, and other similar issuances, or parts thereof, which are inconsistent herewith are hereby repealed or modified accordingly.

SEC. 8. EFFECTIVITY. This Administrative Order shall take effect immediately.

DONE, in the City of Manila, this 3rd day of September, in the Year of our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). [*Administrative Order Nos.: 201 - 300*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 289

**CONSTITUTING A SPECIAL DEVELOPMENT PLANNING TASK GROUP TO UNDERTAKE
ECONOMIC AND SOCIAL DEVELOPMENT PLANNING FOR THE SPECIAL ZONE OF PEACE
AND DEVELOPMENT**

WHEREAS, the Final Agreement between the Government and the Moro National Liberation Front signed on 2 September 1996 signals a new era of peace and development in Mindanao;

WHEREAS, the Final Agreement provides for the establishment of a Special Zone of Peace and Development in Southern Philippines (ZOPAD);

WHEREAS, the proposed ZOPAD will entail the provision of focused development assistance, especially in the depressed areas of concerned provinces and cities; and

WHEREAS, there is need for a inter-agency efforts to undertake economic and social development planning in support of the ZOPAD.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order the following:

SECTION 1. CONSTITUTION OF THE SPECIAL DEVELOPMENT PLANNING TASK GROUP. There is hereby constituted a Special Development Planning Task Group to undertake planning activities for the developmental requirements of the ZOPAD.

SEC. 2. COMPOSITION. The Special Development Planning Task Group shall be chaired by a representative/officer from the National Economic Development Authority (NEDA) to be designated by the Director-General of the National Economic and Development Authority, with representatives/ personnel from the following agencies to be designated by their respective Secretaries:

- a. Department of Agriculture (DA);
- b. Department of Agrarian Reform (DAR);
- c. Department of Environment and Natural Resources (DENR);
- d. Department of Budget and Management (DBM);
- e. Department of Transportation and Communications (DOTC);
- f. Department of Public Works and Highways (DPWH); and
- g. Department of Trade and Industry (DTI)

SEC. 3. FUNCTIONS. The Special Development Planning Task Group shall have the following functions:

- a. Initiate the formulation of an integrated development framework for the ZOPAD which will maximize the development potentials of the areas covered, taking into consideration existing development priorities and strategies of the government;

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- b. Identify areas where anti-poverty interventions of both the government and the private sector can be initially channeled;
 - c. Adopt a process of maximum consultations with concerned sectors (concerned Regional Development Councils and ARMM, local government units, other national government agencies, non-government organizations and peoples organizations, and religious, political, and civic groups) in the formulation of the development framework and identification of areas for focused anti-poverty interventions;
 - d. Submit regular accomplishment reports to the President; and
 - e. Perform such other tasks as may be assigned by the President.

SEC. 4. PERSONNEL AND RESOURCES. The member agencies of the Special Development Planning Task Group shall contribute equipment and personnel (on detail) to the Task Group. All member-agencies of the Special Development Planning Task Group shall contribute funds for the operation of the Task Group to be determined in a subsequent Memorandum of Agreement (MOA) among others.

SEC. 5. REPEALING CLAUSE. All Administrative Orders, rules and regulations, and other similar issuances, or parts thereof, which are inconsistent herewith are hereby repealed or modified accordingly.

SEC. 6. EFFECTIVITY. This Administrative Order shall take effect immediately.

DONE, in the City of Manila, this 3rd day of September, in the Year of our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 290
CONSTITUTING A STEERING COMMITTEE FOR A COMPREHENSIVE MINDANAO
EDUCATION PROGRAM (CMEP) AND DEFINING ITS FUNCTIONS AND RESPONSIBILITIES

WHEREAS, a primary objective of Government is the attainment of a just, comprehensive and lasting peace under the Rule of Law and in accordance with Constitutional process, which is the basic function of economic development and national prosperity;

WHEREAS, the Department of Education, Culture and Sports (DECS), being the agency tasked with the supervisions and administration of basic education, has a great influence in the attainment of the aforementioned objectives;

WHEREAS, the participants in the First Mindanao Educators Congress (FMEC) held on September 27 - 29, 1995 in Zamboanga City came up with recommendations to improve the quality of education in Mindanao for Philippines 2000;

WHEREAS, a Comprehensive Mindanao Education Program (CMEP) demands a holistic approach that will require the cooperative efforts of all sectors of society.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby constitute a Steering Committee on Mindanao Education.

SECTION 1. Composition. - The Steering Committee shall be composed of the following:

- | | |
|---------------|---|
| Chairperson | - Secretary of Education Culture and Sports |
| Vice-Chairmen | - Chairman of the Commission on Higher Education |
| | Presidential Assistant for Mindanao |
| | Director General of the Technical Education and Skills Development Authority |
| | Presidential Assistant for Peace Process |
| Members | - Secretary of Education for ARMM |
| | President, Mindanao Association of State Universities and Colleges |
| | President, Coordinating Council of Private Education Association |
| | President, Mindanao State University |
| | Dean, UP Mindanao |
| | Secretary General of the National Federation of Arabic Madaris in the Philippines |
| | A Representative of DECS Regional Directors in Mindanao |
| | A Representative of CHED Regional Directors in Mindanao |
| | A Representative of TESDA Regional Directors in Mindanao |

NEDA Area Coordinator for Mindanao
Two representatives of Private Sector Community Leader
of Mindanao

SEC. 2. Functions. - The Steering Committee, which shall meet at least four times a year, shall have the following functions and responsibilities:

1. Prepare a Comprehensive Mindanao Education Program (CMEP);
2. Coordinate and monitor the implementation of the activities of the CMEP;
3. Coordinate the functions and activities of bodies which may be created to implement the various components of the CMEP;
4. Recommend to the President policies and programs to ensure effective and efficient implementation of the CMEP;
5. Request the assistance of other GO's, NGO's and PO's in the implementation of the CMEP;
6. Report to the President, through the DECS Secretary, the progress of the implementation of the CMEP;
7. Perform such other functions and exercise such powers as may be delegated to the Committee by the President.

SEC. 3. Establishment of a Program Management Office. - A Program Management Office (PMO) shall be established in Mindanao to provide technical and administrative support to the Committee. The PMO shall be composed of the following:

1. One (1) personnel seconded from any of the DECS Regional Offices in Mindanao who shall act as the Director of the PMO; and
2. Contractual personnel who shall provide assistance to the PMO Director to the Committee.

The PMO shall be under the direct control and supervision of the Committee.

The location of the permanent office of the PMO shall be identified by the Chairman.

All expenses incurred by the members of the Committee in the performance of their functions shall be charged against their respective local funds subject to the usual accounting and auditing procedures. Members of the Committee representing the private sector shall be entitled to reimbursement of actual expenses.

SEC. 5. Effectivity. - This Administrative Order shall take effect immediately.

Done in the City of Manila, this 12th day of September, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 291

**ADOPTING THE GENERAL GUIDELINES IN TRACKING THE ALLOCATION AND
UTILIZATION OF VARIOUS TYPES OF RESOURCES COMMITTED TO THE PROGRAMS AND
PROJECTS UNDER THE SOCIAL REFORM AGENDA**

WHEREAS, the Social Reform Agenda (SRA) sets the framework and direction for the efforts of all sectors of Philippine Society to improve access to quality basic services, accelerate asset reform and sustainable development of productive resources and allow greater access to economic opportunities, and strengthen institution-building and participation in governance of Basic Sectors nationwide;

WHEREAS, the SRA has defined convergence as the focusing and synchronization of resources, services, and interventions by SRA Flagship Programs and other agencies/entities on specific target families and communities, using the Minimum Basic Needs (MBN) Approach as the strategy for convergence, and providing for multi-level, multi-sectoral and inter-agency coordination and consultation, as embodied in Proclamation No. 548 (series of 1995) Administrative Order No. 194 (series of 1995) and Executive Order No. 356 (series Of 1996);

WHEREAS, there is an urgent to institutionalize, from existing systems and mechanisms, a comprehensive and decentralized tracking of the allocation and utilization of various types of resources committed to the programs and projects under the Social Reform Agenda in order to respond to problems that are confronted in the implementation of SRA projects and programs;

WHEREAS, this has been partially effected through the adoption of an official definition of SRA programs and projects under Proclamation No. 547 (series of 1995);

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the adoption of this General Guidelines in tracking the allocation and utilization of resources committed to the Social Reform Agenda (SRA) programs and projects at all levels, as follows:

SECTION. 1. Objectives. All National Agencies, Government-Owned and Controlled Corporations (GOCCs) and Local Government Units are hereby directed to adopt and implement the General Guidelines in tracking the allocation and utilization of various resources committed to SRA to ensure that these are synchronized and complementary to effectively implement various flagship programs and projects nationwide.

SEC. 2. Scope and Coverage. National, regional and local SRA Flagship programs and projects shall cover those that have been stipulated in the Integrated National Action Agenda on Anti-Poverty adopted during the National Anti-Poverty Summit on 20 March 1996, the Implementing Guidelines of the Convergence Policy (AO 194) and Institutional Arrangements to Fast-Track SRA Localization (EO 356). Specially, these programs and projects, particularly those in the Convergence Areas and in the fifth and sixth class municipalities nationwide, shall address the following:

- a) Minimum Basic Needs (MBN) that address the concerns of the poor families and communities;
- b) Basic Reform Commitments (BRC) that address specific needs of the Basic Sectors;
- c) Ecological Security Commitments (ESC) that address the environment concerns of the various types of ecosystems.

SEC. 3. *Synergy of Existing Resources Tracking Mechanisms.* All National Government Agencies (NGA) and Local Government Units (LGUs) shall submit their respective Consolidated Quarterly Reports as defined in Attachment A of this General Guidelines and based on the existing monitoring mechanisms adopted by the Department of Budget and Management (DBM), National Economic and Development Authority (NEDA) and Department of Interior and Local Government (DILG), respectively, to track the allocation and utilization of specific types of resources committed to SRA:

- a. For tracking locally-funded SRA programs and projects under the General Appropriations Act (GAA), the Consolidated Performance Report shall be used. This shall be coordinated by the Department of Budget and Management (DBM).
- b. For tracking foreign funds programmed and utilized for SRA programs and projects under Official Development Assistance (ODA), the Implementing Rules and Regulations (IRR) of the ODA Act (RA 8182) and the Regional Project Monitoring and Evaluation System (RPMES) shall be used. This shall be coordinated by the DILG.

SEC. 4. *Consolidation and Submission of Quarterly Reports.* Quarterly reports from the LGUs, various agencies/organization and units shall be prepared and submitted as follows:

Local Government Units Consolidated Quarterly Reports.

- a. The LGU Consolidated Quarterly Reports shall be prepared by the SRA Provincial/City Technical Working Group and submitted, with the endorsement of the Local Chief Executive, to the DILG starting December 1996. It shall contain the status of utilization of various types of resources, particularly the twenty (20) percent Development Fund under the Internal Revenue Allotment (IRA) and the agency budgets intended for specific local SRA Flagship projects and outputs disaggregated by geographical (municipal and barangay) and basic sectoral allocations.
- b. The DILG shall then prepare and submit the Consolidated Reports to the SRA Regional Technical Working Group for integration.

ODA, Regional Agency and GOCC Consolidated Quarterly Reports.

- a. In addition to their Central Offices, Regional Agencies and GOCC Field Offices shall submit their Quarterly Reports to the DBM Regional Office and SRA Regional Technical Working group (RTWG) for consolidation starting December 1996. The report shall contain the status of utilization of various types of resources intended for specific SRA Flagship projects and outputs disaggregated by geographical (provincial, city and municipality) and basic sectoral allocations.
-

- b. All National Government Agencies and GOCCs, particularly the SRA Flagship Champion and Support Agencies shall direct all their respective regional and/or provincial offices to prepare and submit the required quarterly reports.

Consolidation of Regional Quarterly Reports

The SRA Regional Technical Working Group shall consolidate the LGU, ODA, Regional Agency and GOCC quarterly reports. These shall be submitted, with the endorsement of the RDC Chair and/or the Cabinet Officer for Regional Development (CORD), to the Resource Mobilization Cluster of the Social Reform Council, DBM, NEDA and the DILG Central Offices.

National Agency and GOCC Central Offices Quarterly Reports.

All National Government Agencies and GOCC, particularly the SRA Flagship Champion and Support Agencies, shall submit their Quarterly Consolidated Reports- including those submitted by their regional/provincial offices- to the Technical Working Group for Resource Tracking under the SRA. The report shall contain the status of utilization of various types of resources intended for specific SRA Flagship projects and outputs disaggregated by geographical (provincial, city and municipality) and basic sectoral allocations.

DBM, DILG, NEDA Central-Local Coordination

The Central Offices of the DBM, NEDA and DILG shall direct their respective regional/local offices to coordinate the generation, completion and consolidation of reports among concerned agencies and LGUs. They shall ensure that these agencies and LGUs shall integrate SRA Resource Tracking into their central and local reporting and information-generation systems. The RM-TWG shall coordinate the setting-up and operationalization of the SRA Resource Tracking database system nationwide.

SEC. 5. *Institutional Arrangements.*

Resource Tracking Oversight Committee (RM-OvCom).

- a. The Social Reform Council shall designate, from among its government officials and sectoral representatives, those who will serve as members of the Resource Tracking Oversight Committee. The SRA Lead Convenor shall designate the Chair of the Committee.
- b. The Committee shall regularly update the President on the status of resources for SRA programs and projects. It shall also issue supplemental guidelines as may be required with the concurrence of the SRA lead Convenor.

Technical Working Group for Resource Tracking (RM-TWG).

- a. A Technical Oversight Committee for Resource Tracking shall be created with members of the Resource Mobilization Cluster under the SRA National Technical Working Group, DILG, PCFPK, MRP and SRC Secretariat as members.

- b. The Group shall ensure effective national and local coordination on resource tracking, provide technical assistance and shall recommend to the Oversight Committee supplemental guidelines as may be required.

SEC. 6. *Resource Tracking as Part of the Performance Contracts.* The tracking of various types of resources under the SRA shall form part of the performance contracts of concerned Heads of various agencies and LGUs.

SEC. 7. *Funding.* Funding requirements for tracking the allocation and utilization of various types of resources committed to the programs and projects under the Social Reform Agenda for the remainder of 1996 shall be sourced by DBM subject to the submission of a special budget by the DILG and NEDA to be endorsed by the SRC Lead Convenor for the approval of the President. Funds shall be released directly to the SRC Secretariat and shall be subject to pertinent COA rules and regulations. Thereafter, funding requirements of the Resource Allocation and Utilization Tracking System shall be provided in the General Appropriations Act and shall be integrated into the regular budget of the concerned agencies.

SEC. 8. *Effectivity.* This Order shall take effect immediately.

DONE in the City of Manila, this 26 day of Sept, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1996). [*Administrative Order Nos.: 201 - 300*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 292
ADOPTING IMPLEMENTING GUIDELINES TO ENSURE THE BROADEST PARTICIPATION OF
THE BASIC SECTORS AT ALL LEVELS IN THE IMPLEMENTATION OF THE
SOCIAL REFORM AGENDA

WHEREAS, the basic sectors, NGOs, labor and business sector representatives to the Social Reform Council (SRC) have established a Basic Sector Counterpart Council (BSCC) to ensure the autonomy and integrity of their participation in the Social Reform Agenda (SRA);

WHEREAS, the sectoral representatives formulated and adopted the BSCC Organizational Mechanisms and Guidelines which define the parameters for the participation of the basic sectors in the SRA to ensure principled partnership with government;

WHEREAS, government recognizes that the basic sectors, labor, non-government and other organizations in the civil society are important partners in governance who have their own decision-making processes and are capable of resolving conflicts among themselves;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the adoption of this Implementing Guidelines to ensure the broadest and meaningful participation of the Basic Sectors in the enhanced Social Reform Agenda, as the National Integrated Action Agenda on Anti-Poverty.

SECTION. 1. All Cabinet Officers for Regional Development (CORDs), Heads of Flagship Agencies, GOCCs, Regional Development Councils and Local Government Units are hereby directed to support the effective implementation of this guidelines to ensure the broadest and meaningful participation of the Basic Sectors in the Social Reform Agenda (SRA).

SEC. 2. All SRA Technical Working Groups shall recognize and closely coordinate with the designated sectoral representatives and organizations from the national, regional and local levels in the implementation of the SRA.

SEC. 3. The Department of Interior and Local Government (DILG) and the National Economic and Development Authority (NEDA) shall issue supplementary guidelines in consultation with the Basic Sector Counterpart Council representatives, to their respective regional and local constituencies with PO/NGO mechanisms, to ensure the smooth interface of SRA's Basic Sectors Counterpart Structures at all levels.

SEC. 4. All Sectoral Representatives to the Social Reform Council are hereby directed to hasten the process of localizing this Implementing Guidelines and interface with existing PO/NGO mechanisms in government at all levels.

SEC. 5. The SRC Secretariat shall closely coordinate with the Basic Sectors Counterpart Council and Secretariat in the effective implementation of this guidelines.

SEC. 6. The Basic Sector Counterpart Council shall undertake periodic review of the Implementing Guidelines, and may propose amendments which shall be approved by the SRA Lead Convenor.

SEC. 7. This Order shall take effect immediately.

DONE in the City of Manila, this **26th** day of **September**, in the year of Our Lord, Nineteen Hundred Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

ADMINISTRATIVE ORDER NO. 293

Based on the records available on file and in the possession of Malacañang Records Office, Administrative Order No. 293 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 294

**CREATING A SPECIAL COMMITTEE TO ENSURE THE RESETTLEMENT OF INFORMAL
SETTLERS OF ANTIPOLO TO THE FREEDOM VALLEY RESETTLEMENT AREA AT SITIO
BOSO-BOSO, BARANGAY SAN JOSE, ANTIPOLO, RIZAL**

In order to ensure the provision and availment of affordable homelots to qualified and deserving informal settlers of Antipolo, Rizal, a Special Committee on the Resettlement of Informal Settlers in Antipolo, Rizal is hereby created, which shall be composed of the following government officials or their duly authorized representatives:

Presidential Assistant Victor R. Sumulong	-	Chairman
Office of the President		
The General Manager	-	Member
National Housing Authority		
The Municipal Mayor	-	Member
Antipolo, Rizal		
Presidential Commission for the Urban Poor	-	Member

The Special Committee is primarily tasked with the formulation of a Socialized Housing Program Integration for qualified informal settlers within the territorial jurisdiction of Antipolo, Rizal which shall be the recipient of 20% of the generated lots within the Freedom Valley Resettlement Project Area situated at Sitio Boso-Boso, Barangay San Jose. The selection and validation of beneficiaries shall be subjected to the following order of priorities:

1. Present displaced residents of Boso-Boso, Calawis, Kaysakat and San Jose;
2. Those who will be affected by the development of the Marikina-Infanta Road, Silangan Railway Express 2000 and other infrastructure/development projects within the MARILAQUE Growth Corridor;
3. Other informal settlers of Antipolo who are landless and found to be qualified and deserving pursuant to the provisions and policy guidelines provided in R.A. 7279.

The Special Committee shall ensure maximum consultations with all existing urban poor organizations in Antipolo, Rizal in coordination with the Presidential Commission for the Urban Poor.

The MARILAQUE Commission Secretariat shall provide technical and secretariat assistance to the Special Committee.

The Special Committee is further directed to submit to the President a progress report of the status of the Socialized Housing Program cited in this Order.

This Administrative Order shall take effect immediately.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Manila, October 2, 1996

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 295

PROVIDING FOR THE IMPLEMENTATION OF THE PEACE AGREEMENT ON THE
INTEGRATION OF THE MEMBERS OF THE MORO NATIONAL LIBERATION FRONT
(MNLF) INTO THE ARMED FORCES OF THE PHILIPPINES (AFP)

WHEREAS, a Final Peace Agreement (hereinafter referred to as Agreement) between the Government of the Republic of the Philippines (GRP) and the Moro National Liberation Front (MNLF), was entered into on the 2nd day of September 1996 between Ambassador Manuel T. Yan, Chairman of the GRP Peace Panel and Professor Nur Misuari, Chairman of the MNLF Panel;

WHEREAS, the President, on the 2nd day of October 1996, issued Executive Order No. 371 proclaiming a Special Zone of Peace and Development (ZOPAD) in the Southern Philippines, and establishing therefor the Southern Philippines Council for Peace and Development (SPCPD) and the Consultative Assembly;

WHEREAS, the Agreement provides that the five thousand seven hundred fifty (5,750) MNLF members shall be integrated into the Armed Forces of the Philippines (AFP), 250 of whom shall be absorbed into the auxiliary services; and

WHEREAS, the Agreement further provides that all other matters regarding the integration on MNLF forces into the AFP not expressly covered therein shall be prescribed by the President as Commander-in-Chief of the AFP;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. PERIOD OF INTEGRATION.

The integration of the MNLF forces into the AFP shall be completed during Phase 1 of the Agreement or before the establishment of a new Regional Autonomous Government as may be organized in accordance with the Constitution.

SEC. 2. RULES AND REGULATIONS FOR INTEGRATION.

a. The Secretary of National Defense shall prescribe the rules and regulations for the integration of MNLF members into the AFP in accordance with existing laws and policies pertaining to the AFP.

b. In the interest of facilitating the entry of MNLF members into the AFP, age, height, educational attainment, AFP Aptitude Battery Test and civil status requirements may be waived by competent authority on a case to case basis, subject to existing rules and regulations.

SEC. 3. PHASING OF THE INTEGRATION PROCESS.

The MNLF integration shall be in three (3) phases, namely: processing, individual training, and on-the-job training (OJT) and deployment.

a. Processing Phase.

1. The MNLF shall initially conduct its own pre-selection process based on the guidelines to be provided for by the AFP and shall submit a duly authenticated list of its 5,500 principal candidates and 2,500 alternate candidates for final processing by the AFP. The MNLF shall also submit the complete MNLF roster of personnel by units and their locations as ready reference for the AFP processing teams.
2. The processing of applicants for both officer candidates and candidate soldiers shall start on 01 November 1996.
3. The AFP shall provide billet and mess at processing centers for candidates undergoing actual processing.
4. The officer candidates and candidate soldiers shall bring along their individual firearms as they report to their respective training centers. Those without firearms shall be deemed disqualified and denied integration into the AFP.

b. Individual Training Phase.

1. All candidate soldiers shall undergo a six-month Candidate Soldier Course. Likewise, officer candidates shall undergo a separate 48-week Officer Candidate Course. Both courses shall start not later than 01 February 1997. The completion of these courses shall be a requirement for enlistment or commissionship, as the case may be.
2. Training of officer candidates shall be in one (1) batch and candidate soldiers in three (3) batches.
3. Candidate soldiers not undergoing formal training shall be assigned to AFP brigades/ battalions nearest their areas of residence for purposes of control, administration, orientation training and utilization in civil-military operations or socio-economic development assistance projects of the AFP.

c. OJT/Deployment Phase.

Officer candidates and candidate soldiers who have completed their respective individual training shall be organized into separate units (rifle or engineer companies) for on-the-job training. These separate units shall preferably be deployed within the four (4) ARMM provinces and Basilan and shall remain distinct from other AFP units during the transition period.

SEC. 4. FINAL INTEGRATION INTO AFP UNITS.

a. The final integration into AFP units of those who have completed all the training phases shall start immediately after the OJT/Deployment Phase. During this period, the separate units shall be dissolved and their members individually reassigned to regular AFP units deployed within the SOUTHCOM area of responsibility.

b. After a reasonable period of time or as the exigencies of the service dictate, the integrated officers and enlisted personnel, just like other regular AFP personnel, may be reassigned to other units/areas.

SEC. 5. RANKS AND GRADES OF INTEGRATED PERSONNEL.

a. The ranks and grades of officer candidates and candidate soldiers integrated into the AFP shall be subject to existing laws, policies, rules and regulations governing the AFP.

b. Rank precedence, seniority and promotion of officers and enlisted personnel shall be governed by current AFP rules and regulations.

SEC. 6. COMMAND AND SUPPORT RELATIONSHIPS.

a. COMSOUTHCOM shall exercise command, administrative and operational control over the separate units.

b. A Deputy Commander for Separate Units (DCSU), SOUTHCOM, to be addressed as such, shall be appointed/designated by the President, from among the recommendees of the MNLF, to assist in the command, administration and control of the separate units. He shall have his own office and staff separate from the Staff of COMSOUTHCOM.

c. The Office of the Deputy Commander for Separate Units (DCSU), SOUTHCOM shall be dissolved at the end of the transition period and its personnel shall be reassigned to other SOUTHCOM offices/units.

d. Separate units deployed within the area of responsibility of deployed AFP brigades/battalions shall be attached to the latter for purposes of administrative and logistics support. These brigades/battalions shall also exercise operational control over these separate units.

SEC. 7. DISPOSITION OF FIREARMS.

a. Applicants who voluntarily turnover their firearms shall be compensated in accordance with the AFP Balik-Baril Project. Said firearms shall then be accounted for as government property and may be re-issued to them during training/deployment as members of separate units.

b. All firearms still in the possession of MNLF members not integrated into the military or police service shall be subject to existing firearms laws, rules and regulations.

SEC. 8. FUNDING SUPPORT.

The AFP shall submit to the Office of the President, through the Secretary of National Defense and Secretary of Budget and Management, a supplementary budget for congressional action to cover the total fund requirement to implement this Order for the rest of 1996 and for 1997.

SEC. 9. MISCELLANEOUS MATTERS.

a. The AFP, in coordination with the MNLF, shall undertake a Personnel and Equipment Survey of the latter prior to the processing phase.

b. Integrated personnel shall be provided opportunities for further professional training and military schooling, including foreign schooling, in consonance with the education and training programs and policies of the AFP.

c. The Chief of Staff, AFP shall render appropriate reports to the President, through the Secretary of National Defense, on the integration of MNLF members into the AFP.

DONE in the City of Manila, this 7th day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 296
ESTABLISHMENT OF CUSTOMS CLEARANCE AREAS IN
SPECIAL ECONOMIC AND/OR FREEPORT ZONES

WHEREAS, it is the declared policy of the government to encourage, promote and accelerate the industrial, economic and social development of the country through, among other measures, the establishment of special economic and/or freeport zones (SEFZs) in strategic locations in the country;

WHEREAS, pursuant to said policy, Republic Act Nos. 7227, 7903 and 7922 have been issued, establishing the Subic Bay Freeport Zone, the Zamboanga City Special Economic Zone, and the Cagayan Special Economic Zone, respectively;

WHEREAS, pursuant to Republic Act No. 7227, Executive Order No. 80 (1993) and Proclamation No. 216 (1993) have been issued, establishing the Clark Special Economic Zone and the Poro Point Special Economic and Freeport Zone, respectively;

WHEREAS, pursuant to Republic Act No. 7916, the Philippine Economic Zone Authority has been established to operate, administer, manage and develop the economic zones;

WHEREAS, the SEFZs are vested with the status of separate customs territories, within the framework of the 1987 Constitution and the national sovereignty and territorial integrity of the country, and thereby allowed the free and unimpeded movement of goods within their territorial jurisdiction;

WHEREAS, when goods/cargoes are withdrawn from the SEFZs for entry into the customs territory, there is a need to hasten and facilitate their release without sacrificing effective customs control;

WHEREAS, it is imperative to delineate an area (s) where goods/cargoes from the SEFZs entering the customs territory, as well as goods bound for the SEFZs coming from the customs territory, shall be coursed through under customs control, for proper examination, assessment of the duties/taxes, and expeditious clearance, of such goods;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. *Establishment of Customs Clearance Areas.* There shall be provided and delineated by the Zone authorities a Customs Clearance Area (CCA) to be operated and managed by the Bureau of Customs (BOC). The CCA shall be a clearing and processing center for goods and cargoes entering the SEFZs from the customs territory, and for goods and cargoes which are to be transported from the special economic and/or freeport zones into the customs territory.

SECTION 2. *Location of Customs Clearance Areas.* The CCA shall be strategically located within areas proximate to the path of outbound cargoes (e.g., zone exit gates); Provided, however, that there may be established within the SEFZ as many CCAs as may be necessary as determined by the BOC, in consultation with the Zone authorities.

SECTION 3. *Implementing Rules and Regulations.* The BOC shall issue the necessary implementing rules and regulations for the operational procedures of the CCA, in consultation with the Zone authorities and concerned agencies.

SECTION 4. *Quarterly Reports.* Quarterly reports on the status of the implementation of this Administrative Order shall be submitted by the BOC to the President, through the Office of the Executive Secretary.

SECTION 5. *Repealing Clause.* All presidential issuances, rules and regulations inconsistent herewith are deemed modified, repealed or revoked accordingly.

SECTION 6. *Separability Clause.* If for any reason, any part or provision of this Administrative Order shall be held unconstitutional or declared contrary to law, other parts or provisions hereof which are not affected shall continue to be in full force and effect.

SECTION 7. *Effectivity.* This Order shall take effect fifteen (15) days upon publication in the Official Gazette or any newspaper of general circulation.

DONE in the City of Manila, this 11th day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1996). [*Administrative Order Nos.: 201 - 300*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 297
PROVIDING FOR THE IMPLEMENTATION OF THE PEACE AGREEMENT ON THE JOINING
OF MNLF ELEMENTS WITH THE PHILIPPINE NATIONAL POLICE

WHEREAS, a Final Peace Agreement (hereinafter referred to as the Agreement) between the Government of the Republic of the Philippines (GRP) and the Moro National Liberation Front (MNLF) was entered into on the 2nd day of September 1996 between Ambassador Manuel T. Yan, Chairman of the GRP Peace Panel, and Professor Nur Misuari, Chairman of the MNLF Peace Panel;

WHEREAS, the President, on the 2nd day of October 1996 issued Executive Order No. 371 proclaiming a Special Zone of Peace and Development (ZOPAD) in the Southern Philippines and establishing therefor the Southern Philippines Council for Peace and Development (SPCPD) and the Consultative Assembly;

WHEREAS, the Agreement provides that the Government shall allocate one thousand five hundred (1,500) Philippine National Police (PNP) vacancies to allow the joining of MNLF elements into the PNP and be part of the PNP Command, and another two hundred fifty (250) items for special or auxiliary services;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. PERIOD OF JOINING OF MNLF ELEMENTS INTO THE PNP. During the transition period of three years (Phase I) of the Agreement, the PNP shall implement a particular program to allow the joining of MNLF elements, in the number as above-stated, into the PNP and be part of the PNP Command.

SEC. 2. PROCESS FOR JOINING OF MNLF ELEMENTS INTO THE PNP. The joining of MNLF elements into the PNP shall be in accordance with guidelines and procedures under existing laws, as follows:

- (1) The PNP regional and provincial offices shall initially process MNLF elements intending to join the PNP in accordance with standard procedures for the recruitment, selection, and appointment of PNP uniformed personnel.
- (2) The PNP shall determine MNLF elements who process the mandatory requirements for joining the PNP based on standards set by RA 6975 (*An Act Establishing the Philippine National Police Under a Reorganized Department of the Interior and Local Government, and for Other Purposes*) and by pertinent rules and regulations.
- (3) Qualified MNLF elements who complete the recruitment and selection process shall be appointed to positions in the PNP in accordance with their qualifications and pursuant to existing procedures.
- (4) The processing of MNLF elements for the abovementioned purpose shall commence on November 1, 1996.

SEC. 3. TRAINING OF MNLF ELEMENTS WHO JOINED THE PNP. MNLF elements who have been appointed to positions in the PNP will be sent to PNP Training Centers in Mindanao to undergo Police Basic Training for six (6) months. The police training programs for these MNLF elements shall be as prescribed by existing laws and rules and regulations, and shall be conducted by the PNP.

SEC. 4. DISPOSITION OF FIREARMS. Applicants who voluntarily turn over their firearms shall be compensated in accordance with the AFP Balik-Baril Project. Said firearms shall then be accounted for as government property and may be re-issued to them during training/deployment as members of the PNP units. All firearms still in the possession of MNLF members not turned over to the government as above prescribed, just like those possessed by other citizens, shall be subject to existing firearms laws, rules and regulations.

SEC. 5. DEPLOYMENT OF MNLF ELEMENTS WHO JOINED THE PNP. The deployment of qualified MNLF elements who have joined the PNP and after due training, shall be determined in accordance with existing rules and regulations.

SEC. 6. FUNDING SUPPORT. Funding requirement for the implementation of this Order shall be sourced from the current appropriation of the Philippine National Police or other sources to be determined by the Department of Budget and Management.

SEC. 7. RULES AND REGULATIONS. The detailed rules, procedures or rules and regulations implemental of this Administrative Order regarding the recruitment, selection, appointment, training, and deployment of MNLF elements who will join the PNP shall be prescribed by the latter in accordance with the policies of the National Police Commission.

SEC. 8. PERIODIC REPORTS. The PNP Director-General shall submit regular reports to the President, through the Secretary of the Department of the Interior and Local Government, on the joining of MNLF elements into the PNP.

DONE in the City of Manila, this 15th day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 298
CREATING AN AD HOC COMMITTEE TO INVESTIGATE THE ADMINISTRATIVE CASES
FILED AGAINST NCR HEALTH DIRECTOR ROSALINDA U. MAJARAIS AND OTHER
OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF HEALTH,
NATIONAL CAPITAL REGION

There is hereby created an *ad hoc* Investigating Committee, referred to as the Committee, to investigate Department of Health NCR Director Dr. Rosalinda U. Majarais and other officials of the Department of Health, not presidential appointees, who are named respondents in the following administrative cases: Administrative Case No. 11, series of 1996 entitled “DOH vs. Dr. Rosalinda U. Majarais, Pricilla G. Camposano and Horacio D. Cabrera; CPL No. 96-2556 entitled “Concerned Employees of DOH vs. Rosalinda Majarais, et. al.; and CPL No. 96-2557 entitled “Anonymous vs. Rosalinda U. Majarais, et. al.

The Investigating Committee shall be composed of the following:

Eufremio C. Domingo	-	Chairman
Chairman		
Presidential Commission Against Graft and Corruption		
Dario C. Rama	-	Member
Commissioner		
Presidential Commission Against Graft and Corruption		
Jaime L. Guerrero	-	Member
Commissioner		
Presidential Commission Against Graft and Corruption		

The Committee shall follow the procedure prescribed under Section 38 to 40 of the Civil Service Law (PD 807), as amended. The investigation of the administrative complaint shall be terminated by the Investigating Committee within ninety (90) days from the start hereof.

The Committee shall, within (20) days after receipt of the last pleading and evidence, if any, in case the respondents do not elect a formal investigation; or after the expiration of the period within which to submit the same; or after the termination of the formal investigation; or after the parties have submitted their respective memoranda, if so allowed; forward to the Disciplining Authority the entire records of the case, together with its findings and recommendations, as well as the draft decision for the approval of the President.

This Administrative Order shall take effect immediately.

Done in the City of Manila, this 25th day of October, in the year of Our Lord, Nineteen hundred and Nineteen-Six.

By Authority of President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 299
RENAMING THE MALACAÑANG ADMINISTRATION BUILDING AS MABINI HALL

WHEREAS, a century ago, with the country just out of bondage struggling for independence, a man of intellect and vision inspired the promulgation of the First Philippine Constitution and urged all Filipinos to develop themselves that they may earn the respect of other nations;

WHEREAS, as a man of peace and indomitable spirit, he introduced social and political reforms to build competence and stability in the newly formed Government of the Philippines to prove to foreign powers that Filipinos are capable of self-governance; and

WHEREAS, in remembrance of the man whose idea of a truly free and democratic nation is as relevant to Filipinos as when he first wrote about the First Philippine Republic, there is need to pay tribute to his timeless wisdom of establishing the country's unique place in the community of nations;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the renaming of the Malacañang Administration Building as Mabini Hall.

This Order shall take effect immediately.

DONE in the City of Manila, this 29th day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 300
FURTHER STRENGTHENING THE PHILIPPINE ENVIRONMENTAL IMPACT STATEMENT
SYSTEM AND CLARIFYING THE AUTHORITY TO GRANT OR DENY THE ISSUANCE OF
ENVIRONMENTAL COMPLIANCE CERTIFICATES

WHEREAS, Section 4 of Presidential Decree No. 1586 establishing the Philippine Environmental Impact Statement System empowers the President or his duly authorized representative to grant or deny the issuance of environmental compliance certificates (ECCs) for environmentally critical projects and projects within environmentally critical areas;

WHEREAS, Section 7 of Executive Order No. 192 providing for the reorganization of the Department of Environment, Energy, and Natural Resources and renaming it as the Department of Environment and Natural Resources (DENR) vests in the Secretary of the DENR the authority and responsibility to exercise the mandate of the DENR, accomplish its objectives and discharge its powers and functions;

WHEREAS, the Secretary of DENR, as alter ego of the President, is deemed to have the implied power to grant or deny the issuance of ECCs on behalf of the President;

WHEREAS, under Section 21, Chapter 4, Title XIV, Book IV of Executive Order No. 292, Instituting the Administrative Code of 1987, the DENR Regional Offices are responsible for, *inter alia*, implementing laws, policies, plans, programs, projects, rules and regulations of the DENR to promote the sustainability and productivity of natural resources, social equity in natural resource utilization and environmental protection in their respective regions;

WHEREAS, the DENR Regional Executive Director, as the highest officer of the DENR in each Regional Office, is directly charged with carrying out said responsibility;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by Constitution, do hereby confirm the power of the Secretary of the Department of Environment and Natural Resources and the DENR Regional Executive Directors to grant or deny the issuance of environmental compliance certificates (ECCs).

This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 4th day of November, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 201 - 300]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

ADMINISTRATIVE ORDER NO. 301

Based on the records available on file and in the possession of Malacañang Records Office, Administrative Order No. 301 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 302
PROVIDING THE RULES GOVERNING THE ISSUANCE OF APEC BUSINESS VISAS AND THE
CREATION OF APEC BUSINESS LANES

WHEREAS, it is the declared policy of the Philippine government to promote trade and investment as instruments of economic growth and development;

WHEREAS, the Philippines as a member Economy of the Asia-Pacific Cooperation (APEC) believes in the fundamental role of mobility in the growth of APEC as a business community and supports initiatives to enhance the movement of bonafide businessmen and facilitate business-related travel in the region;

WHEREAS, there is a need to introduce a scheme in order to realize the APEC goal of facilitation of cross-border movement of bonafide businessmen from APEC member-Economies;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. The Department of Foreign Affairs through the Philippine Foreign Service Posts, hereinafter called the Post, is authorized to issue, on a reciprocal basis, and subject to compliance with prescribed requirements under existing regulations, multiple entry Temporary Visitor's 9(a) visa valid for five (5 years) for a stay of fifty-nine (59) days to bonafide businessmen who carry passports issued by APEC Member Economies, namely, Australia, Brunei Darussalam, Canada, Chile, People's Republic of China, Hong Kong, Indonesia, Japan Republic of Korea, Malaysia, Mexico, New Zealand, Papua New Guinea, Singapore, Chinese Taipei, Thailand and the United States of America. This visa shall hereinafter be called the APEC Business Visa.

SEC. 2. The Department of Foreign Affairs shall enter into a reciprocal or multilateral Memorandum of Agreement or any appropriate instrument of understanding with the Economy or Economies which will extend similar visa arrangement to Filipino bona fide businessmen. The issuance of the APEC Business Visa commence on the date of the signing of reciprocal or multilateral Memorandum of Agreement between the Philippines and the other APEC Economy or Economies.

SEC. 3. The Post has the primary responsibility to determine the identity and admissibility of the visa applicant. The Post shall require submission of a certification from the Economy's Chamber of Commerce, or in its absence, and equivalent prestigious business organization, on the status of the applicant in the business community, police clearance certificate from the applicant's country of origin or legal residence and any other document that may be required in the individual case by the Consular Officer. The Post shall reserve the right to approve or deny the issuance of appropriate visa if the applicant's identity and admissibility is found doubtful.

SEC. 4. The APEC business visa as proposed in this Order and the guidelines relative thereto shall not apply to nationals of any Economy not listed in Section 1 of this Order. The Department of Foreign Affairs shall study the application of this Order to nationals of any non-APEC Economy whenever that

Economy becomes a new member of APEC, and shall submit the Department's recommendations to the President.

SEC. 5. The Department of Foreign Affairs shall monitor the reciprocal implementation of the APEC Business Visa. It shall review the scheme whenever appropriate and submit its recommendations to the President.

SEC. 6. The Department of Trade and Industry is instructed to enjoin the cooperation of the Philippine Chamber of Commerce and Industry and other equivalent prestigious Philippine business organizations in the issuance of Certifications in favor of qualified Filipino businessmen and other acts related to the implementation of the APEC Business Visa initiative.

SEC. 7. The Department of Justice through the Bureau of Immigration is instructed to set up APEC Business Lanes at major ports of entry into the country.

SEC. 8. The Bureau of Immigration shall facilitate the admission into the country of holders of valid APEC Business Visas.

SEC. 9. This Order complements and does not revoke Executive Order Nos. 168 (1994), 134 (1993) and 191 (1994).

DONE in the City of Manila, this 23 day of November, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). [*Administrative Order Nos.: 301 - 407*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 303
ESTABLISHING THE PHILIPPINE APEC STUDY CENTER NETWORK

WHEREAS, APEC Economic Leaders in Seattle agreed to undertake the Leader's Education Initiative;

WHEREAS, the Philippines as an active participant to this initiative has established APEC Study Centers in various universities and research institutions in the country;

WHEREAS, APEC Study Centers offer an independent perspective in APEC issues and concerns, especially those of particular interest to the country;

WHEREAS, Philippine Study Centers have provided technical assistance to government agencies, conducted researches, and organized and sponsored conference, meetings and seminars related to APEC activities;

WHEREAS, Philippine Study Centers in the country have seen the need to organize a network of Philippine APEC Study Centers with the view of effectively servicing the research requirements of Philippine participation in APEC activities;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Philippine APEC Study Center Network (PASCN)*. There is hereby established a Philippine APEC Study Center Network which shall promote, coordinate and be the focal point of APEC-related research and studies to be conducted by the PASCN member institutions in accordance with a research program framework to be formulated by PASCN. The PASCN shall be composed initially of the following universities and research institutions, namely:

1. Asian Institute of Management (AIM)
2. Ateneo de Manila University
3. De La Salle University
4. Mindanao State University (MSU)
5. Philippine Institute for Development Studies (PIDS)
6. University of Asia and the Pacific
7. University of San Carlos
8. University of the Philippines
9. Xavier University
10. Foreign Service Institute

Membership to the PASCN shall be extended to other universities and research institutions who can meet the criteria to be established by the PASCN.

1.a *Policy Advisory Board.* There shall be a Policy Advisory Board which shall give advise to the PASCN Steering Committee in the formulation of the policy and research program, and make recommendations on the studies and research program to be undertaken. The Board shall be composed of a Chairman and senior representatives, with a rank no lower than an Undersecretary, from the Department of Foreign Affairs (DFA), Commission on Higher Education (CHED), National Economic and Development Authority (NEDA), and the Department of Trade and Industry (DTI), The Chairman of the APEC Foundation of the Philippines and three representatives from the business sector, labor and media to be selected by the Board for a term of two years. The interim Chairman of the Board shall be the Senior Representative of the Department of Foreign Affairs who shall serve for a term of three (3) years. Thereafter, his successor shall be selected from among the other members of the Board based on the criteria and Terms of Reference to be established by the Board.

1.b *PASCN Steering Committee.* To set the broad policy direction and approved the work program and budget of the PASCN, there is hereby constituted a PASCN Steering Committee composed of representatives of the Philippine Institute for Development Studies (PIDS) as Chairman, and four PASCN members to be selected by the Network member representatives among themselves.

1.c *PASCN Lead Agency.* The Philippine Institute for Development Studies (PIDS) is hereby designated as the Lead Agency which shall have the responsibility of managing and coordinating the implementation of the programs and activities of PASCN. PIDS shall administer the Network's funds in accordance with the budget as approved by the Steering Committee. For this purpose, appropriations for the operations of the PASCN shall be released directly to the PIDS which shall constitute a separate account from the regular PIDS funds.

1.d *Committee Secretariat.* To provide staffing support to the PASCN Steering Committee, there is hereby constituted a PASCN Secretariat to be composed of a Project Director and a support staff. The PASCN Steering Committee shall have the authority to add to the staff personnel of the Secretariat as and when needed. The Secretariat shall render assistance to the PASCN Steering Committee in the drafting and formulation of the research program that shall be the framework for the research and studies to be undertaken by the PASCN members and in monitoring the implementation thereof. The Secretariat shall be under the operational control and supervision of the PIDS and shall be housed at PIDS.

SEC. 2. *PASCN Objectives.* The PASCN shall work towards the fulfillment of the following objectives.

- a. To promote opportunities for collaborative research on APEC-related issues;
- b. To establish data and information base on APEC and the Asia-Pacific economics;
- c. To encourage faculty and students of higher education to undertake studies, theses and dissertations on APEC issues;

- d. To facilitate the exchange of information between or among government, non-government organizations, academic and research institutions, business sector and the public in general on APEC-related issues;
- e. To provide technical assistance to government agencies and private organizations on APEC-related initiatives;
- f. To undertake capability building programs for government agencies on matters related to APEC; *and*
- g. To established linkages with other PAEC Study Centers in the region.

SEC. 3. *Functional Areas and Responsibilities.*

- 3.a ***Research and Fellowship Program.*** The PASCN shall formulate a research program focused on studies that will be utilized in promoting a better understanding of PAEC and the Asia-Pacific economies and in guiding the country's position vis-à-vis specific concerns on trade, investment liberalization and facilitation and development cooperation. The studies will be interdisciplinary and policy-oriented with emphasis on the interests of the Philippines. As part of the research program, research grants and fellowships will be awarded to students who will be working on APEC-related issues for their theses and dissertations; and a faculty, student and researcher exchange program will be organized among the members of the network and with other APEC Study Centers.
- 3.b ***Information Dissemination and Publication Program.*** The PASCN shall hold conferences, organize seminars, workshops and roundtable discussions, and issue publications for the purpose of disseminating and making available to the government, NGO's educational and research institutions, business community and the public in general the results of APEC-related studies and information. PASCN shall also set up an electronic network linked to other APEC Study Centers in the region to facilitate the exchange and dissemination of information on a wider scale.
- 3.c ***Technical Assistance to Government Agencies and Private Organizations.*** The PASCN shall provide government agencies and private organizations with technical assistance in preparation for APEC-related meetings and conferences and on matters related to APEC.

SEC. 4. *Funding.* The amount of TEN MILLION PESOS (₱10,000,000.00) is hereby set aside from the appropriation of the President's Contingency Fund in the General Appropriations Act for FY 1997 as initial funding assistance to defray the maintenance and operational requirements of PASCN. Subsequent funding requirements for the PASCN operations shall be included and considered as a separate item in the budget proposal of the PIDS and provided for as a distinct allocation in the Annual General Appropriations Act of Congress: Provided that the PASCN may augment its funds by undertaking special projects and research activities funded by foreign or locally-sourced grants and donations from government, non-government, and unilateral and multilateral organizations.

DONE in the City of Manila, this 23 day of November, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 304
CREATING A FACT-FINDING COMMITTEE TO LOOK INTO THE ALLEGATIONS
CONTAINED IN THE PRIVILEGE SPEECH OF SENATE PRESIDENT ERNESTO M. MACEDA

There is hereby created a Fact-Finding Committee to look into and investigate the allegations contained in the privilege speech of Senate President Ernesto M. Maceda delivered on November 29, 1996.

The Fact-Finding Committee shall be composed of the following:

- Chairman - Secretary, Department of Budget and Management
- Members - Secretary, Department of Environment and Natural Resources
- Chairman, Housing and Urban Development Coordinating Council

Within thirty (30) days from issuance of this Order, the Fact-Finding Committee shall submit to the Office of the President, thru the Office of the Executive Secretary, the Committee's initial progress report.

By Authority of the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Manila, Philippines, December 2, 1996

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 305

CREATING AN INTER-AGENCY COMMITTEE TO REVIEW THE CASES OF FILIPINOS
OVERSEAS SENTENCED WITH THE PENALTY OF LIFE IMPRISONMENT OR HIGHER,
INCLUDING THOSE METED UNUSUAL PUNISHMENTS

WHEREAS, many Filipino overseas workers have been sentenced with the penalty of life imprisonment, death or unusual punishment by foreign governments;

WHEREAS, the Department of Foreign Affairs recommends Presidential intercession for possible commutation of sentence or pardon only to accused Filipino overseas workers meted the death penalty;

WHEREAS, there is a need to give more attention not only to Filipino overseas workers who have been meted the death penalty but also to other Filipinos abroad who have been convicted or sentenced to unusual punishment and life imprisonment;

WHEREAS, there is a need to create an Inter-Agency Committee to assist the Department of Foreign Affairs to effectively and efficiently evaluate cases appropriate for Presidential intercession;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION. 1. There is hereby established a Committee that shall assist the Department of Foreign Affairs in the review of cases involving Filipino overseas workers sentenced by foreign authorities with life imprisonment or higher, including other Filipinos meted with unusual punishments. The Committee shall be composed of the following:

- | | | |
|---------------|---|---|
| Chairman | - | The Secretary, Department of Justice |
| Vice-Chairman | - | The Secretary, Department of Foreign Affairs |
| Members | - | The Secretary, Department of Labor and Employment;
The Administrator, Philippine Overseas Employment
Administration;
The Administrator, Overseas Welfare Workers Administration; and
The Solicitor General. |

SEC. 2. The Committee shall have the following functions:

- a. To coordinate and monitor all cases involving Filipino overseas workers sentenced with the penalty of life imprisonment or higher, including those meted with unusual punishments; and
- b. To evaluate, identify and recommend cases of Filipinos overseas appropriate for Presidential intercession.

SEC. 3. The Committee through the Chairman, shall make a semi-annual report of its activities to the President. The first report shall be submitted on or before 30 January 1997.

SEC. 4. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 3rd day of December, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 306
IMPOSING THE PENALTY OF DISMISSAL FROM THE SERVICE OF PROVINCIAL
TREASURER OF LANA DEL SUR HADJI MACMOD DALIDIG WITH FORFEITURE OF ALL
BENEFITS UNDER THE LAW

This Administrative case was initiated at the Presidential Commission Against Graft and Corruption (the Commission, for brevity) through a complaint filed by a certain Datu Halil Alawi of Banggolo, Marawi City, attaching thereto a copy of Special Audit Report of the Commission on Audit (COA) Central Office, Quezon City, docketed as SAO Report No. 93-03 dated January 28, 1994. Said report evaluates the utilization of the 1991 ARMM Seed Money directly released to the Provincial Government of Lanao del Sur.

The complaint cites the following officials of Lanao del Sur as respondents: Hadji Macmod Dalidig, Provincial Treasurer; Engr. Sebanah D. Tomawis, Provincial Engineer; and Engr. Bocali Balt, Assistant Provincial Engineer. They are charged with dishonesty, grave misconduct and conduct prejudicial to the best interest of the service for their failure to account for government funds amounting to ₱83,300,802.55. Among the respondents, however, Mr. Dalidig is the lone presidential appointee, he having been designated Acting Provincial Treasurer of Lanao Del Sur on January 31, 1985 by then President Ferdinand E. Marcos and his counsel having confirmed Mr. Dalidig's retention as Provincial Treasurer of Lanao del Sur in his Manifestation and Motion received by this Commission on February 9, 1996. Absent his showing of a new appointment by the Minister of Finance, he is deemed to be a presidential appointee.

Thus, only Mr. Dalidig was required to file his counter-affidavit to respond to the following specific findings in SAO Report No. 93-03:

- 1) Massive withdrawals of ARMM Seed Money prior to the 1992 National Election as evidenced by the total withdrawal of ₱87.569 M or 89% of the total allotment for the four-month period from February to May 1992;
- 2) Of the 294 projects inspected, 213 projects worth ₱49.54 M were not implemented at all while 73 were still incomplete. Out of the 213 projects found not implemented, 163 projects were paid a total of ₱22,938,791.35 while the eight (8) completed projects and seventy three (73) incomplete projects valued only at ₱9,039,197.45 were likewise paid for ₱20,912,486.37. As a result of the non-completion/non-implementation of the projects, unaccounted funds amounted to ₱83,300,802.55;
- 3) At least eight (8) contractors were awarded 12 to 56 projects at a time. The percentage of accomplishment in all the projects handled by a contractor was the same at a specific point in time which is highly improbable considering the distance and accessibility of project locations;
- 4) Information contained in the supporting documents of 28 contracts worth ₱12 M are conflicting wherein items of work involved, quantity and unit cost of approved agency

estimate varies from first billing to succeeding billings. Likewise, claims amounting to ₱4 M were not supported with the required documents;

- 5) Purchase of road materials from a single supplier amounting to ₱7,528,750.00 for the repair/improvement of various provincial roads was doubtful. Two (2) modes of documentation supporting payments were used, thus, the possibility of double payment is not remote. The first, comprising 37.31% of total purchases or ₱,808,750.00 were supported with statement of work accomplished (SWA) while other payments for the remaining ₱4,720,000.00 were supported with delivery receipts, charge invoices and purchase orders.
- 6) A 50% mobilization fee totaling ₱807,500.00 was granted to a single contractor in the construction of 21 multi-purpose buildings, 5 solar dryers, 1 wharf and 2 deepwells instead of the maximum 15% allowed by law. In addition, mobilization fee of 10% amounting to ₱60,000.00 was granted without specifying the name of the projects for which advance payment was granted.
- 7) Various disbursements amounting to ₱1,883,265.19 were not supported by the required documents in violation of Sec. 4, PD 1445.

On February 13, 1995, respondent Dalidig, thru counsel, filed a motion to Suspend Proceedings on the ground that SAO Audit Report Nos. 93-03 and 93-06 (Review of the findings in 93-03) which are bases of the complaint are still on appeal with the COA *en banc*. Respondent reasoned out that the appeal suspends the effects of said SAO reports and these not being final and executory, cannot be the legal bases for the administrative investigation of Datu Alawi's complaint.

In its Order of February 17, 1995, the Commission denied respondent Dalidig's Motion to Suspend Proceedings on the ground that the administrative proceedings conducted by it are independent and separate from the appeal to the COA *en banc*.

In his counter-affidavit submitted to the Commission on March 15, 1995, respondent alleged the following:

- 1) That he was assailing not only the accuracy and trustworthiness of the factual findings in SAO Reports Nos. 93-03 and 93-06 but also the arbitrariness that attended the conduct of the audit;
- 2) That the projects were previously inspected and evaluated by a COA Team pursuant to a directive of then COA Chairman Eufemio Domingo and the team concluded that "our inspection of the 31 projects as pinpointed to us revealed that all of them were indeed implemented. Most of them were already completed except for four (4) projects which are still on-going construction.";
- 3) That a second COA team composed of six (6) members was created under COA Assignment Order Nos. 92-1550 and 92-1990-A but none of them actually conducted the inspection;
- 4) That the actual inspection of the projects was undertaken by the COA Regional Office at Region XII headed by Regional Director Rasul Mitmug who at that time was already harboring ill-feelings against Ex-Governor Saidamen Pangarungan due to political reasons;
- 5) That without any representative from respondent Dalidig and other respondents, the Mitmug-led COA team made inspections accompanied by political adversaries of Gov. Pangarungan who pointed to wrong projects sites and which action became the basis for the sweeping reports that so many projects were not implemented at all;

- 6) That he and his co-respondents requested for a reinspection and reaudit of the same projects which then Chairman Parcasio Banaria granted with the directive that the reinspection team allow representatives of the incumbent Provincial Governor, the Regional Secretary of the DPWH, Mr. Dalidig and the other respondents to join the project site inspections;
- 7) That the reinspection team headed by Mr. Jaime Naranjo of COA-SAO and Dir. Mitmug covered only 72 projects in 12 towns out of 350 projects located in 37 municipalities;
- 8) That in the preparation of the report of the reinspection team, the non-COA representatives were never consulted nor notified by the team and no prior deliberation among all members was held; and
- 9) That despite the strong objections of respondents, the reinspection report was finalized by the Mitmug-Naranjo team and was adopted in SAO Report No. 93-06.

Respondent insists that his only participation in the disbursement of the subject 1991 ARMM Seed Money was signing the covering disbursement vouchers certifying to the following: (a) the availability of funds; (b) the proper certification of the expenditure; (c) submission of supporting documents appearing legal and proper; and (d) use of proper account codes.

To bolster his claim of regularity of the transactions, respondent attached to his Counter-Affidavit, *supra*, more than three hundred (300) different disbursement vouchers (pp. 296-663 of case records) covering the numerous transactions involving the 1991 ARMM Seed Money. In support thereof, he also attached approximately sixty (60) various Statements of Work Accomplished (SWA). No other supporting documents were submitted.

In his Supplemental Affidavit, dated November 17, 1995, (pp. 218-223 of case records) respondent claims that after a voucher is signed or passed in audit by the Provincial Auditor concerned, the supporting documents thereof are detached and retained by the Provincial Auditor's Office and only the approved original copy of the voucher is returned to the Office of the Provincial Treasurer for issuance of the corresponding check by the Provincial Cashier. Respondent further claims that the supporting documents which were retained by the Provincial Auditor's Office were submitted to the Special Audit Team together with the vouchers. In support thereof respondent submitted the affidavit of Usman Salic of the Provincial Auditor's Office of Lanao del Sur (p. 196 of case records).

Respondent asserts that after having served the government for many years as an accountable officer, he did not think it necessary to keep xeroxed copies of the supporting documents for all the disbursement vouchers his office had processed. His stint as Municipal Treasurer, Chief Property Custodian, Assistant Provincial Treasurer of Lanao del Sur, OIC-City Treasurer's Office of Marawi City and OIC-City Treasurer's Office of Iligan City surely have prepared him for this gigantic task of disbursing the tremendous amount of money intended for the improvement and upliftment of his people in Lanao del Sur.

In an attempt to justify his position, respondent defends his approval of the various disbursement vouchers by stating that the said documents were pre-audited, meaning that payment of the vouchers were effected only after these were approved for payment by the Provincial Auditor.

The incontrovertible fact, however, is that the disbursement vouchers were signed only by the Provincial Auditor after the first five (5) boxes thereon were signed by the proper signatories including respondent himself, as the fourth signatory. It is important to state that the Provincial Treasurer is the first official among the five signatories tasked with the responsibility of reviewing the supporting documents to a particular disbursement voucher to ensure that these are legal and proper. That responsibility includes the duty to ensure that said supporting documents are complete.

In any case, in his above-mentioned supplemental affidavit, respondent enumerated the supporting documents required for specific transactions and which, when lacking, would render the transaction not ready for payment, viz:

a. For negotiated contracts:

1. Authority to enter into negotiated contract issued by Office of ARMM Regional Governor
2. Contract of agreement or MOA between either Provincial Government of Lanao del Sur or Municipality concerned and contractors
3. Plans and specifications
4. Program of work and detailed cost estimate
5. Notice to commence work/project
6. Inspection Report
7. Statement of Work Accomplished (SWA)/accomplishment report
8. Certificate of Completion and Final Acceptance of Project
9. Other requirements.

b. For purchases of road and bridge materials:

1. Purchase request
2. Sealed Canvass/Bid
3. Abstract of Canvass/Bid
4. Purchase Order
5. Original Invoice
6. Delivery Receipts
7. Inspection Report
8. Award of Canvass/Bid

At the hearing of July 17, 1995, the COA auditors presented voluminous documents and pictures which served as the bases for the SAO Reports. Respondent, thru counsel, cross-examined Ms. Heidi Mendoza, team leader of the second Special Audit team, and Ms. Priscilla Cruz, COA Auditor, on said documents.

Upon a detailed scrutiny of the said supporting documents (vouchers), the Commission discovered that the same were insufficient. As correctly reported by the COA Auditors, the various disbursement vouchers were supported by incomplete documents and there were disbursement vouchers allowing 25-50% mobilization fee or beyond the 15% allowed by PD 1594 and COA rules.

To cite a few, the following confirm the findings in SAO Report No. 93-03:

A. INSUFFICIENT/INCOMPLETE SUPPORTING DOCUMENTS

1. Voucher No. 21192040259 (p. 545 of COA Findings: Folder 4)
Amount: P285,000
Supplier/Project: LIEN ENTERPRISES: road materials for MAGUING PROVINCIAL ROAD

Supporting Documents Per COA-SAO Report:

1. Abstract of Canvass
2. Official Receipt
3. Bid

2. Voucher No. 2119202050 (p. 442 of COA Findings: Folder 4)

Amount: P70,000

Supplier/Project: LIEN ENTERPRISES: road materials for GANASSI PROVINCIAL ROAD

Supporting Documents Per COA-SAO Report:

1. Official Receipt
2. Charge Invoice
3. Purchase Request
4. Authority to enter into negotiated contract issued by Office of ARMM Regional Governor
5. Purchase Order
6. Abstract of Bid

3. Voucher No. 21192040256 (p. 434 of COA Findings: Folder 4)

Amount: P166,250

Supplier/Project: LIEN ENTERPRISES: road materials for GANASSI PROVINCIAL ROAD

Supporting Documents Per COA-SAO Report:

1. Official Receipt
2. Bid
3. Abstract of Bid
4. Statement of Work Accomplished

4. Voucher no. 21192040263 (p. 114-A of COA Findings: Folder 7)

Amount: P312,830

Supplier/Project: AL MEDINA GASOLINE: payment of diesoline for equipment assigned to concreting of Circumferential Road at BUADI-PUSO, BUNTONG

Supporting Documents - NONE

5. Voucher No. 21192040262 (p. 113 of COA Findings: Folder 7)

Amount: P962,111.19

Supplier/Project: BMA Construction and Supply: 8,139 bags of cement for BUADI-PUSO, BUNTONG

Supporting Documents:

1. Official Receipt

B. VIOLATIONS OF ALLOWABLE MOBILIZATION FEE

1. Voucher No. 2119203098 (Exh. "257" of respondent, p. 411 of Records)

Amount: P23,750

Supplier/Project: NB Square Construction:

Construction of Solar Dryer at Calalanoan, Calanagos, Lanao del Sur

Violations : 50% mobilization fee beyond maximum limit allowed by PD 1594 and COA rules;
: no supporting documents

-
2. Voucher No. 2119203096 (Exh. “258” of respondent, p. 410 of Records)
Amount: P33,250
Supplier/Project: NB Square Construction:
Construction of Deep Well at Ingud, Balindong
Lanao del Sur
Violations : 50% mobilization fee beyond maximum limit allowed by PD 1594 and COA rules;
: no supporting documents
 3. Voucher No. 2119203081 (Exh. “259” of respondent, p. 409 of Records)
Amount: P23,750
Supplier/Project: NB Square Construction:
Construction of Solar Dryer at Dilnusan, Lumbatan, Lanao del Sur
Violations : 50% mobilization fee beyond maximum limit allowed by PD 1594 and COA rules;
: no supporting documents
 4. Voucher No. 2119203091 (Exh. “262” of respondent, p. 406 of Records)
Amount: P47,500
Supplier/Project: NB Square Construction:
Construction of Multi-Purpose Building,
Violations : 25% mobilization fee beyond maximum limit allowed by PD 1594 and COA rules;
: no supporting documents

Respondent never submitted any supporting document for the disbursement vouchers he presented as part of his exhibits. His supplemental affidavit and memorandum mention that pictures were taken by the first Inspection Team to prove actual inspection of the project sites.

However, those pictures were not submitted to refute the evidence of non-implementation as recorded by the pictures taken by the Second Special Audit Team. Obviously, his claim that the supporting documents were retained by the Provincial Auditor cannot negate the actual state of the disbursement vouchers as submitted by the COA Auditors which were mostly incomplete.

Section 189 of the Revised Manual of Instructions to Treasurers describes the treasurer as the officer primarily accountable for government funds and property. As such, he is by law authorized to make such necessary steps to require any person responsible to him for such funds and property to keep proper records and to make corresponding reports for his information and protection. His better judgment should have forewarned him to keep copies of the supporting documents on file for his protection.

Respondent explains that one of his office personnel examines and processes the voucher and supporting documents to find out if they are legal and proper and that if they appear to be legal and proper, he signs the same. Suffice to state, however, that as such Provincial Treasurer it was still his principal duty to see to it that the supporting documents were complete. A preliminary inventory of the number of documents attached to each disbursement voucher would have immediately warned him that these were incomplete and insufficient.

We are not unmindful of the fact that recent jurisprudence have allowed heads of offices to rely to a reasonable extent on their subordinates. However, it bears stress that the purpose of requiring responsible administrative officials to approve vouchers for payment is to enable them to know and scrutinize all the transactions or disbursements of funds under their supervision and responsibility.

Otherwise, they would become mere rubber stamps. Section 184 of the Revised Manual of Instructions to Treasurers thus provides:

“It is expected that when an administrative officer approves an account for payment, he is satisfied that it is correct and just and that he approves the payment as he would if he himself were to pay it from his personal funds.”

Respondent also assails the conduct by which the second inspection and reinspection were undertaken and the resultant findings. The Second Audit Team, in its Rejoinder under the second finding (pp. 154 and 155 of case records) correctly pointed out that none of the First Audit Team was technically qualified to evaluate the project per plans and specifications as not even one of them was an engineer. It was also noted that “the only document attached to the narrative report of the Region X team (First Audit Team) were the pictures taken. No technical report was included certifying that the thirty-one (31) projects were 100% completed in accordance with plans specifications”.

To explain the non-inclusion of the representatives of the other government agencies the Reinspection Team in its SAO Report No. 93-06 narrates, thus:

“Representatives of the National Bureau of Investigation (NBI), the DPWH-ARMM, the Provincial Government of Lanao del Sur and that of Former Governor Pangarungan were also invited to join the inspection team. However, representatives of the NBI were not able to show up and failed to join the reinspection while the representatives of the DPWH-ARMM only came three days before the period authorized for the re-inspection was to expire. Nonetheless, the composite team proceeded with the re-inspection, with the representatives of the Provincial Government of Lanao del Sur and that of Former Governor Pangarungan acting as guide, in the person of Engineers Bocali B. Balt and Sabanah Tomawis x x x”

Respondent proffers the position that as Provincial Treasurer, he is not under obligation to directly attend to the inspection of the construction of the projects and, more particularly, in the ascertainment of whether or not the projects were prosecuted in accordance with the specifications in the contract.

In COA Decision No. 1201, the Commission on Audit denied the request of Mr. Henry Rañola, former Provincial Treasurer of Camarines Sur, for exclusion from liability on audit disallowance for two (2) disbursement vouchers signed by said Mr. Rañola. In its 4th Indorsement dated January 10, 1992 the commission held:

“After a careful evaluation hereof, this Commission believes and so holds that Mr. Rañola cannot be exculpated from liability under both vouchers. As signatory to Box No. 4 on Voucher Nos. 327 and 216, *he assumed direct responsibility for the payment of said vouchers* x x x (Underscoring supplied)

It is important to state that the 1991 ARMM Seed Money, subject of this investigation, was earned with the blood of both our Christian and Muslim brothers. This was no ordinary appropriation by government. Its release indicated the triumph of innumerable dialogues between government and the Muslim rebels which were repeatedly and painfully marked by bloody encounters between both

sides. This signified a great opportunity for the improvement of the lives of our Muslim brothers in Mindanao.

IN VIEW OF THE FOREGOING, and as recommended by the Presidential Commission Against Graft and Corruption, respondent Hadji Macmod Dalidig is hereby found guilty of dishonesty resulting into grave misconduct prejudicial to the best interest of the service. Accordingly, he is hereby **DISMISSED** from the service with forfeiture of all benefits under the law effective upon his receipt of a copy hereof.

SO ORDERED.

DONE in the City of Manila, this 5th day of December, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 307
CREATING A TASK FORCE ON ADDITIONAL INCENTIVES PACKAGE TO INVESTORS

WHEREAS, international attention on Asia Pacific Economic Cooperation (APEC) activities has stirred up business interest and focus on the Philippine business environment;

WHEREAS, the Philippines has inherent advantages of skilled, highly flexible, productive and English-speaking labor force but pales in comparison to its neighbors especially in terms of infrastructure support and up front incentives in infrastructure, core industries and the service sector, including financial institutions;

WHEREAS, a competitive set of incentives to be given to large investment projects which are pioneer, involve high technology, are high risk but strategic, and are geared towards exports will result in a globally competitive Philippines;

WHEREAS, a review of existing tax and non-tax incentives is necessary to take advantage of APEC's success and help translate interest into concrete investments;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, do hereby create a Task Force on additional incentives package on investments, composed of the Executive Secretary and the Department of Trade and Industry Secretary as co-chair with representatives not lower than Undersecretary level from the following agencies as members: Department of Transportation and Communications, Department of Finance, National Power Corporation, Metropolitan Waterworks and Sewerage System, Bureau of Internal revenue and Department of Labor and Employment.

The Task Force shall be responsible for the following functions:

1. Discuss non-tax incentives in addition to those already existing by law which includes, among others:
 - a. provision of land grants, free land or land with nominal rentals for use of environmentally-safe projects;
 - b. provision of flexible and concessional financing packages;
 - c. provision of consistent available power supply with minimal upsurges/downsurges (specifically identifying sources and capacities) for specific sectors, e.g., wafer fabs;
 - d. assurance of steady water supply with high quality (specifically identifying sources and capacities);
 - e. provision of ports and facilities to achieve minimum turnaround in specific high-tech zones, e.g., electronics;
 - f. Research and development and training components of identified projects should be encouraged (grants or double deduction).

2. Review the following measures with regard to tax incentives:

- a. ensuring the uniformity of incentives applicable to enterprises locating in ecozone and non-ecozone areas taking into consideration constitutional limitations;
- b. allowing flexibility in the grant on incentives depending of the needs of the project where availability of incentives shall be dependent according to the relevance to a project;
- c. consideration in the Comprehensive Tax Reform package of
 - incentives as deduction from taxable income for research and development, market development and training
 - net operating loss carry-over (NOLCO) and accelerated depreciation (AD)
 - incentives for use of local brands
 - incentive for environmentally-safe practices equivalent to 0.5% of sales
 - insurance incentives
 - expansion reinvestment allowance

3. Submit a report to the Cabinet on agreed actions on the above matters not later than 31 December 1996.

The Department of Trade and Industry shall provide secretariat support to the Task Force.

DONE in the City of Manila, this 5th day of December, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 308
ADOPTION OF A NATIONAL COMPUTERIZED IDENTIFICATION REFERENCE SYSTEM

WHEREAS, there is a need to provide Filipino citizens and foreign residents with the facility to conveniently transact business with basic services and social security providers and other government instrumentalities;

WHEREAS, this will require a computerized system to properly and efficiently identify persons seeking basic services and social security and reduce, if not totally eradicate, fraudulent transactions and misrepresentations;

WHEREAS, a concerted and collaborative effort among the various basic services and social security providing agencies and other government instrumentalities is required to achieve such a system;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby direct the following:

SECTION 1. *Establishment of a National Computerized Identification Reference System.* A decentralized Identification Reference System among the key basic services and social security providers is hereby established.

SEC. 2. *Inter-Agency Coordinating Committee.* An Inter-Agency Coordinating Committee (IACC) to draw-up the implementing guidelines and oversee the implementation of the System is hereby created, chaired by the Executive Secretary, with the following as members:

Head, Presidential Management Staff
Secretary, National Economic Development Authority
Secretary, Department of the Interior and Local Government
Secretary, Department of Health
Administrator, Government Service Insurance System
Administrator, Social Security System
Administrator, National Statistics Office
Managing Director, National Computer Center

SEC. 3. *Secretariat.* The National Computer Center (NCC) is hereby designated as secretariat to the IACC and as such shall provide administrative and technical support to the IACC.

SEC. 4. *Linkage Among Agencies.* The Population Reference Number (PRN) generated by the NSO shall serve as the common reference number to establish a linkage among concerned agencies. The IACC Secretariat shall coordinate with the different Social Security and Services Agencies to establish the standards in the use of Biometrics Technology and in computer application designs of their respective systems.

SEC. 5. *Conduct of Information Dissemination Campaign.* The Office of the Press Secretary, in coordination with the National Statistics Office, the GSIS and SSS as lead agencies and other concerned agencies shall undertake a massive tri-media information dissemination campaign to educate and raise public awareness on the importance and use of the PRN and the Social Security Identification Reference.

SEC. 6. *Funding.* The funds necessary for the implementation of the system shall be sourced from the respective budgets of the concerned agencies.

SEC. 7. *Submission of Regular Reports.* The NSO, GSIS and SSS shall submit regular reports to the Office of the President, through the IACC, on the status of implementation of this undertaking.

SEC. 8. *Effectivity.* This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 12th day of December, in the year of Our Lord, Nineteen Hundred and Ninety-Six.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). [*Administrative Order Nos.: 301 - 407*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 309

AMENDING ADMINISTRATIVE ORDER NO. 291 DATED 26 SEPTEMBER 1996 WHICH PROVIDES FOR THE ADOPTION OF GENERAL GUIDELINES IN TRACKING THE ALLOCATION AND UTILIZATION OF VARIOUS TYPES OF RESOURCES COMMITTED TO THE PROGRAMS AND PROJECTS UNDER THE SOCIAL REFORM AGENDA

WHEREAS, Administrative Order No. 291 dated 26 September 1996 provided the adoption of general guidelines in tracking the allocation and utilization of various types of resources committed to the programs and projects under the Social Reform Agenda (SRA);

WHEREAS, there is a need to amend Section 3 of Administrative Order No. 291 to identify the departments responsible for coordinating the tracking of funds allocated and used for SRA programs and projects.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the amendment of Administrative Order No. 291, dated 26 September 1996.

SECTION 1. Section 3 item b of Administrative Order No. 291 is hereby amended to read as follows:

“b. For tracking foreign funds programmed and utilized for SRA programs and projects under Official Development Assistance (ODA), the Implementing Rules and Regulations (IRR) of the ODA Act (RA 8182) and the Regional Monitoring and Evaluation System (RPMES) shall be used. This shall be coordinated by the NEDA”.

SEC. 2. Item c shall be included to Section 3 of Administrative Order No. 291 to read as follows:

“c. For tracking local Funds allocated and utilized for SRA programs and projects under the Internal Revenue Allotment and other locally-generated funds and resources, the Policy Monitoring System shall be enhanced to include Local Government Resource Tracking. This shall be coordinated by the DILG”.

SEC. 3. This Administrative Order modifies Administrative Order No. 291 dated 27 September 1996 and all orders, issuances, rules and regulations or parts thereof inconsistent thereto.

SEC. 4. This Administrative Order takes effect immediately.

DONE in the City of Manila, this 16th day of December, in the year of Our Lord, Nineteen Hundred and Ninety Six.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1996). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 310
CREATING A COMMITTEE TO FORMULATE A BILL TO ELIMINATE CRIMINAL AND
HARMFUL SYNDICATES IN THE PHILIPPINES

WHEREAS, the Committees on Trade of both the Senate and the House of Representatives have yet to finalize their respective bills to eradicate racketeers and pernicious syndicates in the Philippines;

WHEREAS, the signing into law of a bill that shall effectively arrest the pernicious practice of criminal organization will be to the best interest of the government;

WHEREAS, such a bill should take into consideration the concerns of various government agencies tasked with fighting syndicated crimes in the country;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Composition. - There is hereby constituted a Committee that shall formulate a bill to eliminate criminal and harmful syndicates in the Philippines, which shall be composed of the Secretary of Justice, as Chairman, with the following as Members:

1. The Secretary of Trade and Industry
2. The Secretary of Finance
3. The Chairman, Presidential Commission on Good Government
4. The Chief, Presidential Legal Counsel

SEC. 2. Secretariat. - The Office of the Assistant Executive Secretary for Legislative Affairs shall provide the secretariat support to the Committee.

SEC. 3. Reportorial Requirement. - The Committee shall submit to the President, within 30 days from the effectivity of this Order, the final version of the formulated bill for his approval.

SEC. 4. Effectivity. - This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 13th day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

By Authority of the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). [*Administrative Order Nos.: 301 - 407*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 311

**CREATING A NATIONAL ORGANIZING COMMITTEE FOR THE WORLD INTELLECTUAL
PROPERTY ORGANIZATION'S (WIPO) WORLD SYMPOSIUM ON BROADCASTING, NEW
COMMUNICATION TECHNOLOGIES AND INTELLECTUAL PROPERTY**

WHEREAS, largely through the efforts of the current leadership of the Kapisanan ng mga Brodkaster ng Pilipinas (National Association of Broadcasters of the Philippines), in coordination with the Permanent Mission of the Philippines to the United Nations in Geneva, Switzerland, the World Intellectual Property Organization (WIPO) decided to organize a “World Symposium on Broadcasting, New Communication Technologies and Intellectual Property” (hereinafter referred to as “WIPO World Symposium on Broadcasting”) in Manila, Philippines from 28 to 30 April 1997;

WHEREAS, the protection of the rights of broadcasters and owners of new communication technologies and intellectual property has increasingly gained universal importance because of the dominant role technology plays in influencing international economics and trade;

WHEREAS, the recognition and adequate protection of the rights of broadcasters, inventors, authors and intellectual property owners would enhance the economic environment needed to spur sustained economic growth and attract foreign investments;

WHEREAS, as a member-country of WIPO, the Philippines is privileged to have been designated as host of the forthcoming WIPO World Symposium on Broadcasting and welcomes this opportunity to reaffirm to the world its policy to protect the rights of broadcasters and owners of new communication technologies and intellectual property against infringement, piracy and counterfeiting;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. National Organizing Committee. - A National Organizing Committee for the “WIPO World Symposium on Broadcasting, New Communication Technologies and Intellectual Property” is hereby created, which is tasked to coordinate the overall implementation of activities related to the WIPO World Symposium.

SEC. 2. Composition. - The Committee shall be co-chaired by the Secretary of the Department of Foreign Affairs and the present President of the Kapisanan ng mga Brodkaster ng Pilipinas, with the Secretary of the Department of Trade and Industry as Vice-Chairman and the representatives of the following as members:

Office of the Press Secretary
Philippine Information Agency
Presidential Management Staff
Department of National Defense
Department of Transportation and Communications
Department of Education, Culture and Sports
Department of Tourism

Department of Interior and Local Government

Department of Budget and Management

National Economic Development Authority

Philippine National Police

Presidential Inter-Agency Committee on Intellectual Property Rights

Institute of International Legal Studies (UP)

A representative from the Council to Combat Counterfeiting and Piracy of Patents, Copyright and Trademarks (COMPACT) and the Intellectual Property Association of the Philippines (IPAP)

SEC. 3. Functions of the Committee. - The Committee shall create a Secretariat and such sub-committees as it may deem necessary to implement its mandate and formulate mechanisms that will ensure the success of the WIPO World Symposium on Broadcasting. Secretariat support shall be provided by the Kapisanan ng mga Brodkaster ng Pilipinas. In the execution of its tasks, the Committee shall have the authority to call upon the assistance of any department, agency or instrumentality of the Government.

SEC. 4. Funding. - The amount of two million pesos (₱2,000,000) required for the symposium shall be sourced partly from the International Commitments Fund. The funding balance shall be charged against the respective savings/revenues of the participating agencies, the sharing of which shall be identified by the Committee.

SEC. 5. Effectivity. - This Administrative Order shall take effect immediately.

Done in the City of Manila, this 17th day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). [*Administrative Order Nos.: 301 - 407*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 312
**DESIGNATING A PRINCIPAL OFFICE FOR THE SOUTHERN PHILIPPINES COUNCIL FOR
PEACE AND DEVELOPMENT AND THE CONSULTATIVE ASSEMBLY**

WHEREAS, Executive Order No. 371 dated 02 October 1996, proclaimed a Special Zone of Peace and Development in the Southern Philippines and established the Southern Philippines Council for Peace and Development (SPCPD) and the Consultative Assembly;

WHEREAS, there is a need to designate a principal office for the SPCPD and the Consultative Assembly to allow these bodies to carry out their functions more efficiently and effectively and facilitate their transactions with the public;

WHEREAS, the designation of a principal office shall not preclude the SPCPD from establishing field monitoring offices in other areas;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order that the principal office of the SPCPD and Consultative Assembly shall be in Cotabato City.

This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 21st day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 313
CONSTITUTING A NATIONAL COMMITTEE FOR THE COMMEMORATION OF THE
ELEVENTH ANNIVERSARY OF THE FEBRUARY 22-25, 1986 EDSA REVOLUTION

WHEREAS, our national spirit was forged by a ceaseless struggle for freedom of Filipinos who rose against colonial masters to become a nation of our own aspiration;

WHEREAS, the February 22-25 EDSA Revolution restored democratic institutions and ushered meaningful political, social and economic reforms in the country;

WHEREAS, the Filipinos astounded the world with feats of valor at EDSA, showing other captive people the way towards a democratic revolution of our time, thereby winning the respect and admiration of the world;

WHEREAS, the triumph of this revolution is rooted in the same spirit that brought our people to freedom a century ago;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Constitution of a National Committee. There is hereby constituted a National Committee for the commemoration of the 11th Anniversary of the February 22-25, 1986 EDSA Revolution which shall be Chaired by Mr. Manolo Lopez, with Agrarian Reform Secretary Ernesto Garilao as Co-Chairman, and the following as members:

Representatives from the NGOs/Business Community:

1. Ms. Victoria Garchitorena
2. Mr. Jose Alejandro
3. Mr. Jose Concepcion, Jr.
4. Mr. Octavio Espiritu
5. Mr. Christopher Carreon
6. Ms. Denise Manosa
7. Mr. Jose Escaner
8. Mr. Lito Lorenzana
9. Monsignor Socrates Villegas
10. Mr. Vicente Jayme
11. Mr. Felipe Cruz, Jr.
12. Mr. David Consunji
13. Mr. Alberto Manlapid
14. Mr. Perfecto Quicho
15. Ms. Tina Monzon-Palma
16. Mr. Norberto Gonzales

17. Ms. Maria Montelibano
18. Ms. Patricia C. Sison

Representatives from the Government Sector:

19. Secretary Domingo Siazon, Department of Foreign Affairs
20. Secretary Gregorio Vigilar, Department of Public Works and Highways
21. Secretary Robert Barbers, Department of Interior and Local Government
22. Secretary Salvador Enriquez, Jr., Department of Budget and Management
23. Secretary Renato de Villa, Department of National Defense
24. Secretary Cesar Bautista, Department of Trade and Industry
25. Secretary Roberto de Ocampo, Department of Finance
26. Secretary Ricardo Gloria, Department of Education, Culture and Sports
27. Secretary Leonardo Quisumbing, Department of Labor and Employment
28. Chairman Dionisio dela Serna, CORD-NCR
29. Chairman Angel Alcala, Commission on Higher Education
30. PA Amina Rasul-Bernardo, National Youth Council
31. Secretary Alexander Aguirre, Presidential Management Staff
32. Chairman Prospero Oreta, Metropolitan Manila Development Authority
33. Mayor Ismael Mathay, Jr.
34. Administrator Jose Rufino, Livelihood Corporation
35. Undersecretary Honesto Isleta, Philippine Information Agency
36. Chairman Alfredo Antonio, Development Bank of the Philippines
37. Chairman Victorino Basco, Bases Conversion Development Authority
38. Director Serafin Quiazon, National Historical Institute
39. Chairperson Imelda Nicolas, National Commission on the Role of Filipino Women
40. Director-General Jose Lacson, Technical Education and Skills Development Authority
41. Mayor Benjamin Abalos, Chairman, Metro Manila Peace and Order Council
42. Director-General Bren Guiao, KABISIG People's Movement-National Operations Center

Mr. Jose Concepcion, former chairperson of the National Committee for the commemoration of the 10th Anniversary of the EDSA Revolution, shall serve as adviser to the Committee.

SEC. 2. Functions. The Committee shall have the following functions:

1. Formulate a comprehensive plan for the nationwide commemoration of the 11th Anniversary of the February 22-25, 1986 EDSA Revolution and coordinate with all sectors concerned in the implementation of the same, taking into consideration austerity measures and the spirit of volunteerism;
 2. Create such working committees and designate the respective members thereof from both the private and government sectors, as may be necessary, to ensure the success of the celebration; and
 3. Invite or enjoin and mobilize all sectors who would like to participate in the celebration and call upon any government instrumentality to render the necessary assistance therefor.
-

SEC. 3. Staff Support. The KABISIG People's Movement-National Operations Center (KPM-NOC) and the Department of Agrarian Reform shall provide the technical and secretariat support to the Committee. The Heads of departments, agencies, government owned and controlled corporations and other government instrumentalities are directed to give full support to the Committee and its various working Committees and to actively participate in the said celebrations.

SEC. 4. Funding. The Secretary of Budget and Management is hereby directed to allocate the amount of FIVE MILLION PESOS (₱5,000,000.00) to support this activity. Concerned agencies may allocate such amount as may be necessary to defray the expenditures that may be incurred from participation in the EDSA anniversary, subject to the usual accounting and auditing regulations.

SEC. 5. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 31st day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

ADMINISTRATIVE ORDER NO. 314
DESIGNATING THE PRESIDENT'S AND THE CABINET'S REPRESENTATIVES IN THE BURIAL
OF ARCHBISHOP BENJAMIN DE JESUS IN JOLO ON FEBRUARY 14, 1997

To represent the President and the Cabinet in the burial of Archbishop Benjamin de Jesus in Jolo on February 14, 1997, the following are hereby designated:

Head -- Secretary Teofisto T. Guingona, Jr.
Department of Justice
Secretary Robert Z. Barbers
Department of Interior and Local Government
Secretary Salvador H. Escudero III
Department of Agriculture
Chairperson Aminah Rasul Bernardo
National Youth Commission
P. A. Paul G. Dominguez
Office of the President, Mindanao
P. A. Benjamin de Leon
Social Development
Ambassador Manuel T. Yan
Office of the Presidential Adviser on the Peace Process

This Administrative Order shall take effect immediately.

Done in the City of Manila, this 11th day of February, in the year of our Lord, Nineteen Hundred and Ninety-seven.

By authority of the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 315
RECONSTITUTING AND EXPANDING THE FUNCTIONS OF THE PRESIDENTIAL
COMMITTEE TO ASSIST THE NATIONAL MUSEUM AND RENAMING IT AS THE
PRESIDENTIAL COMMITTEE TO ASSIST THE NATIONAL MUSEUM, NATIONAL ARCHIVES
AND NATIONAL LIBRARY

WHEREAS, the Presidential Committee to Assist the National Museum was constituted pursuant to Administrative Order No. 246 dated 26 January 1997 to formulate a comprehensive strategy/plan and source funds for the rehabilitation and development of the National Museum, in coordination with the private sector;

WHEREAS, the National Centennial Commission which was created pursuant to Executive Order No. 128 dated 04 October 1993 has created a Committee on the National Museum, National Library and National Archives to formulate a comprehensive plan and source funds for a Complex to house the National Museum, National Library and National Archives; and,

WHEREAS, to ensure the completion and synchronization of the plans for the National Museum, National Library and National Archives and fasttrack the implementation of activities related thereto in time for the 1998 Centennial Celebrations of the Philippine Independence, there is need to integrate the two (2) aforementioned Committees.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Committee Composition. Section 1 of Administrative Order No. 246, as amended, is hereby amended, to read as follows:

“Section 1. **Composition.** There is hereby constituted under the Office of the President a **Presidential Committee to Assist the National Museum, National Archives and Library**, hereinafter referred to as the Committee, which shall be composed of the following:

Secretary, Department of Finance	– Chairman
Secretary, Department of Trade and Industry	– Vice-Chairman
Mr. Ramon del Rosario, Jr.	– Vice-Chairman
Chairman, National Commission for Culture and the Arts	– Vice-Chairman
Chairman, National Centennial Commission	– Member
An Undersecretary, Department of Education, Culture and Sports	– Member
Director, National Museum	– Member
Director, National Archives	– Member
Director, National Library	– Member
Members, Committee of the National Museum, Archives and Library, of the National Centennial Commission	– Members
President, Cabinet Ladies Foundation	– Member

Mr. Jaime Augusto Zobel de Ayala	– Member
Mr. Oscar Lopez	– Member
Mr. Oscar Hilado	– Member
Mr. George Ty	– Member
Mr. Rizalino Navarro	– Member
Engr. Felisberto Reyes	– Member

The Committee may, in addition, invite prominent persons to serve as Honorary Chairperson, Advisers or Consultants, to advise or otherwise participate in the work of the Committee.

The Committee members from the public sector shall serve in their ex officio capacities. The Committee members from the private sector shall continue to serve until their successors, also from the private sector shall have been appointed by the President.

The Committee shall appoint a project manager who shall be a member of the Committee. The Project Manager shall oversee and monitor the implementation of the Masterplan for the National Museum Complex.”

Sec. 2. Committee Functions. Section 2 of Administrative Order No. 246, as amended, is hereby amended, to read as follows:

“Sec. 2. Functions. - The Committee shall undertake the following:

- a. Formulate a comprehensive strategy or plan for the rehabilitation, development and operation of the National Museum and include plans for the National Archives and the National Library consistent with their purposes, and which will harness the collective strength of the government and the private sector, and submit the same to the President, for approval;
- b. Undertake, implement, coordinate and monitor fund-raising projects, programs and activities, pursuant to the said strategy or plan, to finance the rehabilitation and development of the **National Museum, National Archives and the National Library**;
- c. Establish such working sub-committees as maybe necessary, and invite the members thereof from the government and private sectors; and,
- d. Perform such other functions as the President may direct.”

Sec. 3. Committee Secretariat. Section 3 of Administrative Order No. 246, as amended, is hereby amended, to read as follows:

“Sec. 3. Secretariat. The Committee shall organize its own technical and administrative support from agencies and employees of the member government departments or agencies as the Committee may deem fit.”

Sec. 4. Other Provisions. All the provisions of A. O. and E. O. Nos. 246 and 128 dated 26 January 1996 and 04 October 1993, respectively, which are not inconsistent herewith shall remain valid and effective.

Sec. 5. Effectivity. This Order shall take effect immediately.

DONE in the City of Manila, this 21st day of Feb, in the Year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 316
EXTENDING THE GRANT OF ANNIVERSARY BONUS TO OFFICIALS AND EMPLOYEES OF
LOCAL GOVERNMENT UNITS (LGUS)

WHEREAS, national government agencies as well as government-owned and controlled corporations and government financial institutions have been authorized to celebrate and commemorate milestone anniversaries with the traditional grant of Anniversary Bonus to their officials and employees;

WHEREAS, it is deemed desirable and fitting to commemorate milestone anniversaries of Local Government Units as well by way of granting anniversary bonus to their employees;

NOW THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the power vested in me by law, do hereby order the extension of the grant of milestone Anniversary Bonus authorized under Administrative Order No. 263, dated March 28, 1996 to officials and employees in local government units, in accordance with rules and regulations to be issued for the purpose by the Department of Budget and Management. As defined under item 2.4 thereof, a milestone year refers to the 15th anniversary and to every fifth year thereafter.

This Order shall take effect immediately.

DONE in the City of Manila, this 24th day of February, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 317
IMPOSING THE PENALTY OF DISMISSAL FROM THE SERVICE WITH FORFEITURE OF ALL
BENEFITS UNDER THE LAW ON BULACAN ASSISTANT PROVINCIAL PROSECUTOR
EDSEL RUTOR

This refers to the administrative complaint filed against Assistant Provincial Prosecutor Edsel Rutor of the Office of the Provincial Prosecutor of Bulacan for alleged grave misconduct (defiance and disregard of a lawful order of a supervising officer and bias and partiality in favor of an accused).

Records show that Prosecutor Rutor was assigned to conduct a reinvestigation on the criminal complaint for estafa thru falsification of public document filed by Mr. Mariano Cudia against the spouses Apolonio and Bernarda Cruz (Crim. Case No. 1469-M-93, Br. 19, RTC, Malolos, Bulacan). After reinvestigation, Prosecutor Rutor recommended the dismissal of the said case. However, his recommendation was disapproved by then Provincial Prosecutor Liberato Reyes who directed him in the following manner:

X X X

“We should present our evidence that makes (out) a prima facie case and let the court decide, not this office pre-empting the prerogative of the court.”

However, instead of complying with the said directive, Prosecutor Rutor submitted his resolution to the trial court, in obvious disregard of his superior’s adverse stand. On 22 December 1993, the court ordered the arraignment of the accused who pleaded not guilty, and forthwith, issued an order dismissing, with prejudice, the said criminal case on the basis of Prosecutor Rutor’s resolution. A motion for reconsideration of the court’s order of dismissal was filed by the private prosecutor; this was vehemently opposed by Prosecutor Rutor thus, resulting in the denial of the said motion by the court.

Later, it was discovered that although the resolution of respondent prosecutor dismissing the case was made only on 17 December 1993, the accused appeared to have been arraigned a few days thereafter, or specifically on 22 December 1993. The court’s log book, however, did not show that the said case was scheduled for arraignment on the said date. Apparently, respondent prosecutor, showing his bias and partiality towards the accused, connived with the court personnel to make it appear that the accused was arraigned so that the dismissal of the case could be “with prejudice”.

Further, when complainant moved for a reconsideration of the dismissal order, Prosecutor Rutor objected and reiterated his position to dismiss the case. As a result, the court denied the said motion of complainant Cudia. On 12 January 1994, then Provincial Prosecutor Reyes and complainant’s counsel jointly filed another motion for reconsideration which was likewise denied by the court.

Finally, a petition for certiorari was filed before the Supreme Court (G.R. No. 114302) questioning the subject order of dismissal. The Supreme Court, in its decision dated 29 September 1995, stated, among others, that:

X X X

“The Rutor resolution was rendered valueless because of the Provincial Prosecutor’s disapproval thereof. In submitting it nonetheless to the court and moving for the dismissal of the case, Rutor showed outright disregard of the aforementioned provisions and ruling. So did the respondent Judge when he dismissed the case on the basis of that resolution. Their disregard of the said provisions and ruling is condemnable, for it carries with it a whimsical and capricious bent that taints the exercise of discretion with grave abuse, thereby rendering the whole act infirmed and void: (pp. 10 & 11).

X X X

This Court wonders why Assistant Provincial Prosecutor Edsel M. Rutor disregarded the disapproval by his superior, Provincial Prosecutor Liberato Reyes, of his resolution recommending the dismissal of Criminal Case No. 1469-M-93. Additionally, he vigorously objected to the private prosecutor’s motion to reconsider the dismissal. Something is wrong somewhere. The attention of the Department of Justice must be called” (p. 12).

X X X

In the comment he submitted dated 19 January 1994, Prosecutor Rutor avers that the record in Crim. Case No. 1469-M-93 would show that he never made any motion, either orally or in writing, for the dismissal of the said case; that the court dismissed the same on its own initiative after his proposed resolution was disapproved and released by his office immediately to the trial court; and that he did not influence the early setting of the arraignment of the accused on 22 December 1993 as he is not the one responsible in informing the accused of their arraignment.

Region III Regional State Prosecutor (RSP) Carlos L. de Leon was directed to conduct a formal investigation of the instant administrative complaint. During the investigation, Prosecutor Rutor was given the opportunity to present controverting evidence and be represented by counsel. However, he failed to appear during the scheduled hearing despite due notice. Accordingly, based on the evidence, RSP de Leon found Prosecutor Rutor administratively liable for grave misconduct and recommended the penalty of dismissal from the service.

The Secretary of Justice, upon review, concurred with the findings and recommendation of RSP de Leon that Prosecutor Rutor is administratively liable for grave misconduct and that he should be dismissed from the service with forfeiture of all benefits under the law. Consequently, the Secretary of Justice recommended to this Office the dismissal of Prosecutor Rutor from the service with forfeiture of all benefits under the law.

After a careful evaluation of the records of the case, this Office concurs with the findings and recommendation of the Secretary of Justice.

The act of respondent prosecutor in submitting to the court his resolution on reinvestigation in Crim. Case No. 1469-M-93 recommending dismissal of the said case, knowing fully well that the same was disapproved by his immediate superior, and his consequent act of seeking its dismissal by the court, contrary to the directive of the latter for him to continue with the prosecution of the said case, exhibits respondent’s wanton disregard of the rule and law, not to mention his total defiance of a legitimate and

lawful order of his immediate superior, constitutes grave misconduct. By such acts of wrongful defiance and wanton disregard of a superior's lawful order, Prosecutor Rutor's bias and partiality in favor of the accused became evident and suspicious. In fact, respondent's defiant position was further underscored when he vigorously opposed complainant's subsequent motion for reconsideration.

Further, respondent's assertion that he never moved for the dismissal of the case is negated by the court's order of dismissal where it stated that the said dismissal was prayed for by respondent.

Indeed, Prosecutor Rutor's reprehensible act of grave misconduct, which no less than the Supreme Court pronounced as "condemnable", has undermined public faith in the prosecution service and ultimately in the administration of justice. The conduct of a public prosecutor must always be beyond reproach and circumscribed with the heavy burden of responsibility as to let them be free from any suspicion that may taint the prosecution arm of the government. While we are aware of the repercussions in meting the extreme penalty of Prosecutor Rutor's dismissal from the service, we, however, cannot countenance such condemnable act of insubordination, which merits no further compassion.

WHEREFORE, premises considered and as recommended by the Secretary of Justice, Bulacan Assistant Provincial Prosecutor Edsel M. Rutor is found guilty of grave misconduct and is hereby **DISMISSED** from the service with forfeiture of all benefits under the law effective upon receipt of a copy hereof in accordance with Section 15, Book VII of the 1987 Administrative Code.

DONE in the City of Manila, this 17th day of March, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 318
IMPOSING THE PENALTY OF SIX (6) MONTHS' SUSPENSION ON GOVERNOR
RODOLFO FARIÑAS OF THE PROVINCE OF ILOCOS NORTE

This refers to the two administrative complaints filed by Undersecretary Alvin G. Dans ("Complainant," for brevity) in his capacity as Undersecretary for Local Government, against Ilocos Norte Governor Rodolfo C. Farinas ("Respondent", for brevity) for Gross Misconduct in Office, Gross Neglect of Duty, Grave Abuse of Authority and Conduct Prejudicial to the Best Interest of Public Service. The acts complained of consist of the following, to wit:

ADM. CASE NO. SC-ADM-001

Respondent is the duly elected governor of the Province of Ilocos Norte. He was charged criminally for Illegal Detention before the Regional Trial Court, Branch 96 in Quezon City entitled "People of the Philippines versus Governor Rodolfo C. Farinas, docketed as Criminal Case No. Q-95-61973. Since no bail was initially recommended, Respondent was incarcerated at the provincial jail of Ilocos Norte from November 1, 1995 up to February 1, 1996, when his motion for bail was granted. Despite his incarceration however, Respondent continued to discharge the functions, duties and responsibilities of Provincial Governor of Ilocos Norte. Thus, Complainant alleges that said act constitutes a violation of Section 4(A) (b) of RA 6713,¹ otherwise known as the Code of Conduct and Ethical Standards for Public Officials and Employees and usurpation of official functions tantamount to grave abuse of authority, grave misconduct, neglect of duty and conduct prejudicial to the best interest of public service.

ADM. CASE NO. SC-ADM-002

On December 4, 1995, Respondent filed with the Office of the President thru the Secretary of Department of Interior and Local Government, an application for leave of absence covering the period December 18-22, 1995 for the purpose of bringing his family for a holiday trip to the Republic of China. On December 7, 1995, Director Rolando Acosta, Bureau of Local Government Supervision, DILG, sent a telegram message to Respondent informing him that the application for leave of absence was received by his office only on December 6, 1995, and thus no action can be taken thereon for failure to comply with DILG

¹ Sec. 4. Norms of Conduct of Public Officials and Employees. (A) Every public official and employee shall observe the following as standards of personal conduct in the discharge and execution of official duties: (b) Professionalism. Public officials and employees shall perform and discharge their duties with the highest degree of excellence, professionalism, intelligence and skill. They shall enter public service with utmost devotion and dedication to duty. They shall endeavor to discourage wrong perceptions of their role as dispensers or peddlers of undue patronage.

Memorandum No. 94-120.² Despite the absence of authority to travel abroad, Respondent left for the Republic of China. Thus, Complainant asserts that said act constitutes a violation of Section 4 (A) (b) of RA 6713, otherwise known as the Code of Ethics and Ethical Standards for Public Officials and Employees and violation of OP Memorandum Circular No. 18; Administrative Order No. 267, series of 1992 in relation to DILG Memorandum Circular No. 94-120 dated July 07, 1995 tantamount to grave misconduct in office, gross neglect of duty and gross insubordination.

On April 10, 1996, I issued Administrative Order No. 264 creating a Special Committee to hear the administrative cases. The Committee was composed of: Secretary of Justice Teofisto T. Guingona (Chairman), Chief Presidential Legal Counsel Renato L. Cayetano (Member) and Secretary of Energy Francisco L. Viray (Member). Subsequently on May 13, 1996, the Special Committee issued an Order requiring Respondent to file his verified answer. However, instead of filing his Answer, Respondent filed a Motion for Bill of Particulars.

In compliance with the Committee's Order, Complainant filed his Bill of Particulars detailing the accusations in his twin complaints. On July 8, 1996, Respondent filed his Answers to both charges.

In his Answer in Adm. Case No. SC-ADM-001, Respondent admitted the material allegation in the complaint that during the period of his detention, he exercised his powers, duties, responsibilities and functions as Governor. Respondent however argues that there was no temporary physical and legal incapacity that would lead to a temporary vacancy in the Office of the Provincial Governor since he was not in coma, nor had lost any of his senses nor suffered any ailment that rendered him physically incapable. He further contends that his detention in jail could not be interpreted as a legal incapacity since he was not ordered suspended by any court or any administrative body, nor was he ordered jailed somewhere outside the Province of Ilocos Norte. Respondent stresses that Complainant never informed him nor directed Vice Governor Mariano R. Nalupta nor appointed anyone to take over as Acting Governor of Ilocos Norte.

As regards ADM. CASE No. SC-ADM-002, Respondent likewise admitted that he traveled abroad without authority and permission of the Regional Trial Court where his criminal case is pending, and the Office of the President. Respondent argues that he did not need to secure a travel authority from the Office of the President because his travel did not fall within provisions of the Local Government Code, specifically Section 96 thereof, which only provides three (3) instances where such travel authority must be procured and these are firstly, when the period of travel extends to more than three (3) months; secondly, during periods of emergency or crisis; and thirdly, when the travel involves the use of public funds. Thus –

Sec. 96. Permission to Leave Station - x x x (c) Local government officials traveling abroad shall notify their respective sanggunian; Provided, that when the period of travel extends to more than three (3) months, during periods of

² x x x To effectively implement the existing policies on foreign travels, the following policies and guidelines are hereby issued, for the information and guidance of all concerned.

(a) All government officials and employees who intend to travel abroad whether for official business or personal reason(s) shall be covered by this policy.

(b) Application for travel authority shall be approved in the following manner:

(1) By the President, in case of provincial governors, city mayors of highly urbanized and independent component cities;

x x x

(c) The requests shall be received by the DILG Central Office through the Bureau of Local Government Supervision (BLGS) at least fifteen (15) working days prior to the scheduled date of departure in the case of provincial governors x x x

emergency or crisis or when the travel involves the use of public funds, permission from the Office of the President shall be secured.

Complainant alleges that the provisions in the executive issuances requiring authority from the President for all types of travel by the Governor has the effect of amending the provisions of the Local Government Code.

During the *Preliminary Conference*, the parties agreed to submit the case for resolution considering that no factual issues are involved.

The Special Committee submitted the following report of its findings and recommendations:

“RE: ADM. CASE NO. SC-ADM-001

After an assiduous evaluation of the legal issues involved, we find the Respondent to have committed conduct prejudicial to the best interest of the service by exercising the functions, powers, duties and responsibilities of the Provincial Governor of Ilocos Norte despite his legal and physical incapacity.

We cannot give credence to Respondent’s contention that his detention in the provincial jail of Ilocos Norte did not temporarily incapacitate and divest him of his power and responsibilities since as Governor of said Province, he can perform his functions anywhere within the territory of the Province including the provincial jail, where he claims to hold office every first Monday of the month to preside over the Provincial Committee on Justice.

At the outset, we find Respondent’s claim that his presence in the provincial jail for the period November 1, 1995 until February 1, 1996 was due to his position in the Provincial Committee on Justice untenable and ludicrous. Respondent was in the provincial jail pursuant to a valid and lawful warrant of arrest issued by a court. Such an arrest constitutes legal basis for his temporary incapacity which in turn gives rise to a temporary vacancy in the Office of the Provincial Governor. Thus –

3. Termination of Temporary Incapacity. x x x If the temporary vacancy is caused by legal reasons such as suspension or arrest, the local chief executive concerned has to submit documents to show that the legal causes no longer subsist.³

Moreover, his incarceration at the provincial jail has resulted in physical incapacity which prevented him from discharging his official powers and duties as governor. Being confined within the four corners of his detention cell, Respondent could not perform some of his duties which require his physical and personal presence, to wit:

Section. 465. The Chief Executive: Powers, Duties, Functions, and Compensation.

x x x (b) For efficient, effective and economical governance the purpose of which is the general welfare of the province and its inhabitants pursuant to Section 16 of this Code, the provincial governor shall:

(1) Exercise general supervision and control over all programs, projects, services, and activities of the provincial government, and in this connection, shall:

x x x (iii) present the program of government and propose policies and projects for the consideration of the sangguniang panlalawigan at the opening of

³ Aquilino Q. Pimentel, Jr., *The Local Government Code of 1991*, (1993), p. 152.

the regular session of the sangguniang panlalawigan every calendar year and as often as may be necessary as the general welfare of the inhabitants and the needs of the provincial government may require;

x x x (vi) represent the province in all its business transactions and sign in its behalf all bonds, contracts, and obligations, and such other documents upon authority of the sangguniang panlalawigan or pursuant to law or ordinance;

(vii) carry out such emergency measures as may be necessary during and in the aftermath of man-made and natural disasters and calamities;

x x x (xiii) visit component cities and municipalities of the province at least once every six (6) months to deepen his understanding of problems and conditions, listen and give appropriate counsel to local officials and inhabitants, inform the officials and inhabitants of component cities and municipalities of general laws and ordinances which shall especially concern them, and otherwise conduct visits and inspections to ensure that the government of the province will improve the quality of life of the inhabitants;

x x x (xviii) represent the province in inter-provincial or regional sports councils or committees, and coordinate the efforts of component cities or municipalities in the regional or national palaro or sports development activities.⁴

Respondent's argument that the lack of notice regarding his temporary incapacity and the absence of the designation of the Vice Governor or any person to act as Governor proved that he was not temporarily stripped of his duty as Governor, does not hold water. The Local Government Code explicitly provides for the automatic assumption by the Vice Governor of Respondent's position in cases of temporary vacancy. And as aptly defined, "automatic" means that the person assuming the office need not be appointed by anyone.

"Section 46. Temporary Vacancy in the Office of the Local Chief Executive.

(a) When the governor, city or municipal mayor, or punong barangay is temporarily incapacitated to perform his duties for physical or legal reasons such as, but not limited to, leave of absence, travel abroad, and suspension from office, the vice-governor x x x shall automatically exercise the powers and perform the duties and functions of the local chief executive concerned x x x.⁵

"x x x The automatic exercise of the powers of the temporary vacant office of the governor, mayor or punong barangay by the vice governor, vice mayor, or the highest ranking member of the Sangguniang Barangay respectively means that the latter need not be appointed."⁶

Thus, no further act is required to effect the assumption to office by the Vice Governor. The lack of notice regarding his temporary incapacity or the absence of the designation of another person or even the failure of the Vice Governor to assume office does not cure his legal and physical incapacity to discharge his duties as Governor.

⁴ Sec. 465, Local Government Code.

⁵ Sec. 46, Id.

⁶ Pimentel, *Supra*, p. 152.

RE: ADM. CASE NO. SC-ADM-002

Section 4, Article X of the Constitution grants upon the President the power of general supervision over local government units. This power is restated in Section 25, Article I of Chapter III of the Local Government Code of 1991.

Supervision has been defined as the power or authority of an officer to see that the subordinate officers perform their duties.⁷ The power of supervision of the President necessarily includes the authority to promulgate rules and regulations or issuances to ensure that local government executives perform the duties of the offices to which they have been elected. Supervision, as this is used in the Constitution and the Local Government Code, is not a meaningless term. It is an active power.⁸ Thus, it is our considered view, that the President or the Secretary of the Department of Interior and Local Government, as his alter ego, can validly prescribe conditions for the travel abroad of local government executives.

Nonetheless, we find no cogent reason to rule on this issue in view of the finding that Respondent was legally and physically incapacitated to discharge his duties as Governor during the material dates of his travel abroad.

Wherefore, in view of the foregoing, we find the Respondent guilty of conduct prejudicial to the best interest of the service and recommend the penalty of suspension for a period of six (6) months effective upon receipt of the Decision.”

After a careful review of the report submitted by the Special Committee, I agree with and adopt the findings and recommendations therein, supported as they are by the law and the evidence on record.

WHEREFORE, Governor Rodolfo C. Fariñas of the Province of Ilocos Norte is hereby suspended for six (6) months effective upon receipt of this Order.

Done in the City of Manila, this 26th day of February, in the year of Our Lord, Nineteen Hundred and Ninety-seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) LUIS C. LIWANAG II

Senior Deputy Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

⁷ Martin, Revised Administrative Code, Vol. 1 p. 298.

⁸ Planas vs. Gil, 67 Phil. 62.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

ADMINISTRATIVE ORDER NO. 319

Based on the records available on file and in the possession of Malacañang Records Office, Administrative Order No. 319 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 320

**AUTHORIZING THE DEPARTMENT OF TOURISM (DOT) TO BE REPRESENTED IN THE AIR
NEGOTIATING PANEL AS ADDITIONAL MEMBER THEREOF**

I, **FIDEL V. RAMOS**, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the DOT to be represented as member in the Air Negotiating Panel created under EO No. 219, dated 3 January 1995 entitled “Establishing the Domestic and International Civil Aviation Liberalization Policy”.

This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 21st day of March, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). [*Administrative Order Nos.: 301 - 407*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 321

**CREATING A NATIONAL ORGANIZING COMMITTEE FOR THE HOLDING OF THE 55TH
SESSION OF THE EXECUTIVE COUNCIL OF THE WORLD TOURISM ORGANIZATION AND
THE WORLD TOURISM LEADERS' MEETING, PRESCRIBING ITS AUTHORITIES
AND FUNCTIONS**

WHEREAS, the development of the tourism sector is among the socio-economic thrusts of the government to sustain the growth of the economy and promote the country's socio-cultural heritage;

WHEREAS, the Philippines is an active and founding member of the World Tourism Organization, established to promote cooperation among member governments and the private sector in pursuing tourism development objectives;

WHEREAS, the World Tourism Organization (WTO), will hold the 55th Session of its Executive Council in Manila, Philippines, from 20 to 21 May 1997 to review its work program, plan its future activities and elect the new Secretary General;

WHEREAS, the Philippine Department of Tourism and the World Tourism Organization will hold the World Tourism Leaders' Meeting on 22 May 1997 in Manila, Philippines, to formulate policies and strategies to mitigate the adverse socio-cultural impacts of tourism, as well as to determine the role of tourism in the 21st century;

WHEREAS, the Philippines' hosting of the 55th Session of the Executive Council of the WTO and that of the World Tourism Leaders will not only generate goodwill for the country, but will likewise provide an opportunity to enlist bilateral and multilateral cooperation for the further development of the country's tourism sector;

WHEREAS, there is a need to constitute a coordinating body for the preparation of the conduct of the above Meetings in Manila and ensure its success to enable the country to maximize the gains therefrom, as well as promote the developmental objectives set by the said Meetings;

NOW THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Creation of a National Organizing Committee. - There is hereby constituted a National Organizing Committee, hereinafter referred to as the National Committee, for the conduct of the 55th Session of the Executive Council of the World Tourism Organization and that of the World Tourism Leaders Meeting in Manila from 20 to 22 May 1997.

SEC. 2. Composition. - The National Committee shall be composed of the following:

Secretary of Tourism	- Chairperson
Secretary of Foreign Affairs	- Co-Chairperson
Secretary of Interior and Local Government	- Vice-Chairperson
Secretary of Social Welfare and Development	- Member
Secretary of Transportation and Communication	- Member

Secretary of Trade and Industry	-	Member
Press Secretary	-	Member
Chairperson, Metropolitan Manila Development Authority	-	Member

Two (2) private sector representatives, to be identified by the Chairperson, shall sit in the National Committee as Members.

SEC. 3. Powers and Functions. - The National Committee shall formulate, in coordination with concerned sectors, the appropriate Work Program to ensure the effective conduct of the above Meetings, including the tasking thereto of the concerned agencies and instrumentalities of the government, and the sourcing of funds to finance such activities. In this regard, the National Committee is hereby authorized to negotiate and conclude agreements and contracts, grant incentives and honorarium, subject to applicable laws, rules and regulations.

The Work Program shall include among others, the provision of security, transportation, accommodation and protocol arrangements; conduct of conference services and information/media coverage; organization of social-cultural programs; implementation of critical tourism infrastructure programs/projects; enforcement of traffic management scheme to facilitate mobility of conference participants; and expedite documentation requirements for all foreign participants and international correspondents.

SEC. 4. Public and Private Sector Participation. - The National Committee shall mobilize the private sector participation in the preparation and conduct of the above Meetings. As may be necessary, it shall organize working groups or call upon any government agency or LGU for assistance to implement this Order.

SEC. 5. Funding. - A total of ₱ 20 Million, to defray the administrative and logistical requirements of the National Committee, including the operations of the its working groups, shall be allocated from Trust Liability Account or available funds of the Department of Tourism for CY 1997, subject to existing accounting and auditing rules and regulations.

SEC. 6. Reports. - The National Committee shall submit regular reports to the Office of the President on the status of the preparations for the conduct of the said Meetings and a post-meeting report thereon.

SEC. 7. Effectivity. - This Administrative Order shall take effect immediately.

DONE in the City of Manila, Philippines, this 19th day of March, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 322
AUTHORIZING CERTAIN GOVERNMENT AGENCIES TO UNDERTAKE ACTIVITIES IN
PREPARATION FOR THEIR CENTENNIAL ANNIVERSARY CELEBRATIONS
IN 1997, 1998 AND 1999

WHEREAS, several offices/agencies have been established by the First Philippine Government under President Emilio Aguinaldo during the 22 March 1897 Tejeros Convention; 17 April 1897 Naic Assembly; in President Aguinaldo's 23 June 1898 Proclamation; and the Proclamation of President Aguinaldo as President by the First Philippine Congress on 23 January 1899;

WHEREAS, these offices/agencies include the Philippine Army created on 22 March 1897 during the Tejeros Convention; the Ministries of War, Interior, Finance, and Justice (now the Departments of National Defense, Interior and Local Government, Finance and Justice), created on 17 April 1897 during the Naic Assembly; Department of Foreign Affairs, Navy and Commerce (now the Philippine Navy and Department of Trade and Industry, respectively), Public Works, Education and Hygiene (now Departments of Public Works, Education Culture and Sports and Health, respectively); Agriculture and Manufacturing (now Department of Agriculture) created through the 23 June 1898 Proclamation of President Emilio Aguinaldo; Department of Communication (now Department of Transportation and Communications) created during the 20 January 1899 Ratification of the Malolos Constitution; and the Office of the President created during the 23 January 1899 Official Proclamation of the Presidency of President Emilio Aguinaldo by the First Philippine Congress;

WHEREAS, to ensure the successful celebration of the 100th Founding Anniversary of these agencies and to heighten awareness on the significance of these centennials, there is need to supplement the efforts of the National Centennial Commission (NCC) by creating a body in the respective agencies which shall initiate plans and programs, coordinate with multisectoral components from business, education, culture and media, and oversee the successful implementation and completion of their respective Centennial Celebrations; and,

WHEREAS, Administrative Order No. 263 dated 26 March 1996 authorizes the grant of anniversary bonuses to government personnel of agencies which are celebrating milestone anniversaries, which shall be sourced from their respective savings from released allotment for operating expenditures.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order as follows:

Section 1. Agency Centennial Celebrations. The Departments of National Defense, Interior and Local Government, Finance, Trade and Industry, Justice, Foreign Affairs, Education, Culture and Sports, Health, Agriculture, Public Works and Highways, Transportation and Communication, the Philippine Army, the Philippine Navy and the Office of the President Proper shall undertake programs and activities in preparation for their respective Centennial Celebrations in 1997, 1998 and 1999, in close coordination with the NCC and the National Historical Institute (NHI).

Sec. 2. Creation of Committees. The above-mentioned agencies shall create their respective Committees to take charge of the preparations for the Centennial Celebrations. These Committees shall have the following functions and responsibilities:

1. Act as principal coordinator for all activities related to their Centennial Celebrations;
2. Recommend to the Secretary/Head of Office all programs, projects and activities that shall be conducted for the purpose;
3. Constitute sub-committees and working groups which shall undertake the implementation of the programs and projects;
4. Coordinate with the NCC and NHI and other concerned government agencies, including government-owned and/or controlled corporations and their subsidiaries to ensure well-coordinated, synchronized and successful implementation of their respective Centennial Anniversary plans, programs and activities; and,
5. Prepare the fund requirements and source funds for its Centennial programs and activities, as necessary.

Sec. 3. Fund Raising Activities. The Committees of the above-mentioned agencies may, when deemed necessary, engage in fund-raising activities to augment funds for its Centennial Programs and activities, in coordination with the NCC. These Committees are likewise authorized to manage whatever donations, contributions and other forms of financial assistance received from the government and private sectors. A Trust Fund shall be set up solely for the purpose with a Government depository bank of their choice and with their respective Secretaries/Heads of Office establishing appropriate guidelines for the utilization of said Fund.

Sec. 4. Centennial Commemorative Items. Whenever appropriate and upon clearance from the NCC, the agencies are hereby allowed to coordinate with concerned agencies for the provision of commemorative notes, coins, stamps, centennial plates and the installation of historical markers, such as the Bangko Sentral ng Pilipinas, Philippine Postal Corporation, Department of Transportation and Communications, among others.

Sec. 5. Centennial Anniversary Bonus. Pursuant to the provisions of AO 263 S. of 1996, the above-mentioned agencies are likewise authorized to grant Centennial Anniversary Bonus to its officials and employees in an amount not to exceed P3,000.00 and subject to availability of savings from released allotment for operating expenditures.

Sec. 6. Monitoring of Centennial Anniversary Activities. The National Centennial Commission shall coordinate and monitor all Centennial Anniversary activities, plans and programs of the above-mentioned agencies.

Sec. 7. Supplementary Provision. All of the abovementioned Sections shall be deemed consistent and supplementary to Executive Order No. 128 s. of 1993, Proclamation No. 804, s. of 1996 and E.O. 312, s. of 1996.

Sec. 8. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 20th day of March, in the year of our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 323
IMPOSING THE PENALTY OF SIX MONTHS SUSPENSION FROM SERVICE ON MENANDRO
GALENZOGA, CHIEF OF MISSION II, DEPARTMENT OF FOREIGN AFFAIRS

This refers to the 02 May 1996 administrative case filed by the Department of Foreign Affairs against Mr. Menandro Galenzoga, Chief of Mission II, based on the complaints of Consul Grace Escalante, Foreign Service Officer II, Mr. Socrates Lucila, Foreign Service Staff Officer II, and Ms. Gaudiosa Garcia, Foreign Service Staff Employee III, all of the Philippine Embassy in Cairo.

Ambassador Galenzoga was charged for dishonesty, conduct grossly prejudicial to the best interest of the service and violation of the Civil Service Rules and government accounting and auditing rules and regulations.

Specifically, Ambassador Galenzoga was charged for the following a) receiving \$17,000.00 in the form of cash advances for per diems and allowances; and b) duty-free importation of two Mercedes Benz cars in conspiracy with embassy employees who were not entitled thereto.

On 08 May 1996, the Board of Foreign Service Administration (BFSA) created an Investigating Committee to hear the case. In the four hearings conducted, Ambassador Galenzoga chose not to be represented by counsel.

On 09 August 1996, Ambassador Galenzoga was found guilty of dishonesty and conduct grossly prejudicial to the interest of the service.

On the first charge, the Committee applied the Rules on Travel, as provided in Executive Order No. 248, series of 1995, and implemented by Department Orders 30-95 and 32-95. Under the rules, Foreign Service Officers and employees, whenever authorized to travel to Manila, are entitled to travel rates of three hundred pesos per one full stay in Manila, not to exceed one (1) month, or, when approved by the Secretary, not to exceed three (3) months. The Committee found that, granting the respondent stayed in Manila for forty-one days, he should only be entitled to twelve thousand (₱12,000.00) pesos or US\$477.00 cash advance. The \$17,000.00 cash advance he received was clearly over and beyond the allowable limit and is considered unconscionable and unlawful expenditure under Section 166 of the Government Accounting and Auditing Manual.

On the second charge, the Committee found that two casual employees of the embassy, namely, Messrs. Edio and Mustapha were able to bring to Egypt two (2) Mercedes Benz cars which, with the connivance of the respondent, were imported free of duties and taxes. Such activity would have easily caused embarrassment to the Mission, and the Philippine government, had the same been discovered by the host country.

After a careful review of the case, this Office affirms the factual findings made by the Investigating Committee. It was established by sufficient evidence, not refuted by the respondent, that he obtained cash advances far beyond the allowable limit and conspired in the unauthorized duty-free importation of two luxury vehicles.

As the country's official representative abroad, respondent is at all times expected to act beyond reproach. As the role model of the Filipinos residing in the country where he is assigned, respondent

should, at the very least, ensure his faithful compliance with the law. It is unfortunate that respondent fell short of the demands of his office and acted in a manner adversely affecting the image, not only of his Office, but also of his country. The infractions constitute conduct grossly prejudicial to the best interest of the service which, in accordance with Section 22 (t), Rule XIV of the Omnibus Rules Implementing Book V of Executive Order 292, series of 1987, carries a corresponding penalty of suspension from office for six months and one day to one year.

WHEREFORE, in view of the foregoing, this Office hereby orders the **SUSPENSION** from service of respondent Menandro Galenzoga for six months, effective upon receipt of this Order. He is further ordered to immediately refund the excessive cash advances he obtained in contravention of the applicable rules.

SO ORDERED.

Manila, Philippines, March 21, 1997.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). [*Administrative Order Nos.: 301 - 407*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 324

MANDATING ALL CONCERNED GOVERNMENT AGENCIES AND LOCAL GOVERNMENT
UNITS TO ADOPT THE LITERACY COUNCIL (LCC) BLUEPRINT FOR ACTION AS
FRAMEWORK OR GUIDELINE IN DEVELOPING POLICIES AND IMPLEMENTING
PROGRAMS OR PROJECTS RELATED TO LITERACY

WHEREAS, the Constitution provides that the State shall encourage non-formal, informal, and indigenous learning systems, as well as self-learning, independent, and out-of-school study programs particularly those that respond to community needs;

WHEREAS, there is a need to highlight the importance of literacy and education, given government's vision of a globally competitive and newly industrializing country that would be better achieved with the improvement of the quality of our human resources through literacy and education;

WHEREAS, the Congress of the Philippines, enacted Republic Act No. 7165, an act creating the Literacy Coordinating Council, defining its powers and functions, appropriating funds therefor and other purposes, declaring it the policy of the State to give highest priority to the adoption of measures for the total eradication of **illiteracy**; and

WHEREAS, the Literacy Coordinating Council in the pursuit of its mandate has formulated the National Blueprint for Action in the Eradication of Illiteracy. This document defines a common philosophy for all literacy programs, presents overall policies and strategies and suggest appropriate structures and mechanisms.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the power vested in me by law, do hereby order all concerned government agencies and local government units to adopt the Literacy Coordinating Council LCC Blueprint for Action as framework or guideline in developing policies and implementing programs and projects related to literacy.

DONE in the City of Manila, this 15th day of April, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 325
CONSTITUTING THE REGIONAL PRODUCTIVITY COMMITTEES UNDER THE REGIONAL
DEVELOPMENT COUNCILS

WHEREAS, Executive Order No. 395 issued on 24 January 1997, approved and adopted the National Action Agenda for Productivity (NAAP) and created the Philippine Council to ensure a united effort on productivity improvement and accelerate the country's over-all development;

WHEREAS, the Philippine Council for Productivity (PCP) was tasked under E.O. 395 to coordinate the preparation of Regional Action Agenda on Productivity (RAAP) together with the Regional Development Councils and the Department of Interior and Local Government;

WHEREAS, there is a need to create a body in each region to formulate an effective Regional Action Agenda for Productivity and thereby maximize the participation of all sectors in the implementation of the National Action Agenda for Productivity.

NOW THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order:

SECTION 1. *Constitution of Regional Productivity Committee.* There shall be constituted a Regional Productivity Committee in each region to be organized by the respective Regional Development Council.

SEC. 2. *Composition of the Regional Productivity Committee.* The Regional Productivity Committee, herein referred to as RPC, in each region shall be chaired by the Regional Director of the National Economic and Development Authority (NEDA). The Chairperson shall appoint two Vice-Chairpersons from the private sector, one from the labor sector, to be nominated by the Department of Labor and Employment Regional Director, and one from the business sector, to be nominated by the Department of Trade and Industry Regional Director. Representatives from the following agencies and organizations shall sit as members of the RPC:

1. Department of Agriculture
2. Department of Agrarian Reform
3. Department of Education, Culture and Sports
4. Department of Labor and Employment - Regional Tripartite Wages and Productivity Board (RTWPB)
5. Department of Trade and Industry
6. Department of Budget and Management
7. Department of Interior and Local Government and
8. Department of Science and Technology.

Representatives from member-local government units of RDCs shall sit as members of the RPCs. Representatives shall also be invited from each of the following: private productivity organizations

(to be nominated by the RTWPB), Academe, non-government organizations, people's organizations, business and labor groups.

A representative from the Civil Service Commission may be requested to participate in the formulation of the Regional Action Agenda for Productivity. An official from the Development Academy of the Philippines (DAP) shall also sit as member of the RPC in regions where DAP representation is possible.

All agencies/organizations herein represented shall assign permanent representatives to the RPCs. Government agencies shall be represented by officials with a rank not lower than Director or its equivalent and an alternate representative with a rank not lower than Assistant Director or its equivalent.

The NEDA Regional Offices shall provide technical and administrative support to the RPCs in cooperation with the DOLE-RTWPB, DTI, DILG and DAP.

SEC. 3. *Functions of the Regional Productivity Committees.* Each RPC shall:

- 1) Coordinate the formulation of the action agenda for productivity consistent with the framework, guiding principles and the sectoral agenda of the NAAP;
- 2) Recommend performance measures/indicators of productivity at the local levels which will be used to monitor and assess annual performance;
- 3) Organize consultation workshops to validate policies, programs and targets in the RAAP;
- 4) Review and endorse the Regional Action Agenda for Productivity to the Regional Development Council;
- 5) Coordinate, monitor and evaluate the implementation of the RAAP to ensure that programs and projects in the agenda are implemented by the concerned agencies;
- 6) Recommend to the Philippine Council for Productivity measures to improve productivity in the region that will require national government action;
- 7) Submit reports to the Philippine Council for Productivity every four months on the implementation of the RAAP; and
- 8) Perform other functions as may be deemed necessary.

SEC. 4. *Role of the Regional Development Councils.* The Regional Development Councils shall provide supervision and guidance to the RPCs as part of its functions provided for under Executive Order No. 325, s. 1996.

SEC. 5. *Funding.* Funds necessary for the operations of each of the RPCs shall be Incorporated in the annual budget of the respective NEDA Regional Office. For 1997 operations, funding for the RPCs shall be incorporated in the budget of the Philippine Council for Productivity to be sourced from the Department of Budget and Management, as provided under Executive Order 395.

SEC. 6. *Effectivity.* This Administrative Order shall take effect immediately.

DONE in the City of Manila this 10th day of April, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 326
AUTHORIZING THE EXECUTIVE BRANCH TO PARTICIPATE IN THE ACTIVITIES OF THE
1997 PHILIPPINE LIVELIHOOD AND SME WORLD CONGRESS

WHEREAS, the 1997 Livelihood and SME World Congress, a private sector initiative in partnership with the government and with His Excellency President Fidel V. Ramos, as Honorary Chairman, will be convened with three main project components:

1. The National Pre-Congress to be held at the Philippine International Convention Center on April 17 and 18, 1997;
2. The World Congress to be held at the World Trade Center on June 10 and 11, 1997; and
3. The SME Expo at Nayong Pilipino, for a three month period, starting April 7, 1997, to showcase Philippine regional/provincial products, daily technology and entrepreneurship training programs, daily fora on obtaining financing and business matching, involving international and local businessmen.

WHEREAS, the Congress envisions the accelerated development of small (which includes micro and cottage industries) and medium enterprises nationwide;

WHEREAS, the entire Executive Branch, consisting of the various Departments and their attached agencies, is a major convenor of the '97 Livelihood and SME World Congress;

WHEREAS, the participation of all Departments and attached agencies is necessary considering that the specific doable action programs that will be drawn up contain important measures recommended for each region and each province of the nation, including the seventeen (17) municipalities and cities of Metro Manila;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the participation of the entire Executive Branch in the aforementioned activities of the '97 Livelihood and SME World Congress, with funding authorized to be charged against their budgets, subject to government rules and regulations. Participation is encouraged most especially among the members of the 17 Provincial Small and Medium Enterprise Development (SMED) Councils and officials directly involved in the development and operations of livelihood and small medium enterprises in their communities.

This Order shall take effect immediately.

DONE in the City of Manila, this 11th day of April, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 327

AMENDING ADMINISTRATIVE ORDER NO. 286, s. 1996, (RECONSTITUTING TASK FORCE MALMAR AS THE CENTRAL MINDANAO DEVELOPMENT TASK FORCE), ADMINISTRATIVE ORDER NO. 287, s. 1996, (RECONSTITUTING THE BASILAN INTER-AGENCY TASK FORCE AS THE BASILAN DEVELOPMENT TASK FORCE), ADMINISTRATIVE ORDER NO. 288, s. 1996, (CONSTITUTING THE SULU DEVELOPMENT TASK FORCE); AND ADMINISTRATIVE ORDER NO. 289, s. 1996, (CONSTITUTING A SPECIAL DEVELOPMENT PLANNING TASK GROUP TO UNDERTAKE ECONOMIC AND SOCIAL DEVELOPMENT PLANNING FOR THE SPECIAL ZONE OF PEACE AND DEVELOPMENT)

WHEREAS, Administrative Order No. 286 dated 3 September 1996 reconstituted Task Force Malmar as the Central Mindanao Development Task Force; Administrative Order No. 287 dated 3 September 1996 reconstituted the Basilan Inter-Agency Task Force as the Basilan Development Task Force; Administrative Order No. 288 dated 3 September 1996 constituted the Sulu Development Task Force; and Administrative Order No. 289 dated 3 September 1996 constituted a Special Development Planning Task Group to Undertake Economic and Social Development Planning for the Special Zone of Peace and Development; and

WHEREAS, there is a need to amend Section 5 of Administrative Order Nos. 286, 287, and 288 and Section 4 of Administrative Order No. 289, Series of 1996, to provide greater flexibility to the Chairpersons of the task forces, facilitate coordination, and ensure that projects/programs being implemented at the ground level are consistent with the needs of the targeted sectors.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the power vested in me by law and the Constitution, do hereby amend Section 5 of Administrative Order Nos. 286, 287, and 288, and Section 4 of Administrative Order No. 289, Series of 1996 and order:

SECTION 1. PERSONNEL AND RESOURCES. The Chairpersons of the Central Mindanao Development Task Force, Basilan Development Task Force, Sulu Development Task Force, and the Special Development Planning Task Group shall have the authority to set up their respective Secretariat/Project Management Groups to provide technical and administrative support to the operations of the Task Forces. The Secretariat/Project Management Group shall be headed by an Executive Director (to be designated or appointed by the President), supported by a Deputy Executive Director (to be designated or appointed by the President) with six personnel (to be designated or appointed by the concerned Task Force Chairperson). As necessary, other personnel may be detailed to the Secretariat/Project Management Group by the member-agencies of the development task forces.

SEC. 2. FUNDING SUPPORT. Funding requirement for the hiring of additional personnel pursuant to Section 1 of this Administrative Order and maintenance and other operating expenses for the Secretariat/Project Management Group shall be sourced and determined by the Department of Budget and Management.

SEC. 3. EFFECTIVITY CLAUSE. This Administrative Order shall take effect immediately.

DONE, in the City of Manila, this 15th day of April, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 328
CONSTITUTING A PHILIPPINE MANAGEMENT COMMITTEE FOR THE GERRY PEÑALOSA
VERSUS LEE SEUNG KOO WORLD BOXING COUNCIL SUPERFLYWEIGHT TITLE FIGHT

WHEREAS, the Philippines has successfully played host to major world conferences and international sporting events;

WHEREAS, Gerry Peñalosa acquired his first WBC Superflyweight title in Japan against Hiroshi Kawashima;

WHEREAS, as the reigning champion, it is only fitting that Gerry Peñalosa should stage his defense in his own country before his countrymen;

WHEREAS, the staging of this world championship directly supports the efforts of the tourism industry in projecting and promoting the Philippines as an ideal site for international and local sporting events;

WHEREAS, the holding of this event will bring international prestige, publicity, goodwill and economic benefits to the country; and,

WHEREAS, the defense fight of Gerry Peñalosa will promote sport of boxing to world-class standards in the country.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law do hereby order the following:

SECTION 1. A Philippine Management Committee (PMC), hereinafter referred to as the “Committee”, is hereby constituted to oversee and undertake all the necessary preparations for the staging of the next title defense of Gerry Peñalosa against Korean Lee Seung Koo in the City of Lapu-Lapu, scheduled on 14 June 1997.

The Committee shall be composed of the Chairman of the Games and Amusement Board (GAB) as Chairman with representatives from the Department of Tourism (DOT), Land Bank of the Philippines (LBP), Philippine Charity Sweepstakes Office (PCSO), Philippine Amusement and Gaming Corporation (PAGCOR), Lapu-Lapu City Local Government, Mactan Cebu International Airport Authority (MCIAA), 2nd Air Division, Mactan Air Base, Armed Forces of the Philippines, and two (2) private sector representatives to be determined by the Committee, one of whom shall be designated as Co-Chairman of the Committee.

Sec. 2. All concerned government departments, agencies and offices including government-owned and controlled corporations, whose assistance will be sought by the Committee, are directed to extend their support and resources to this world title fight.

Sec. 3. The Committee shall form a secretariat to be composed of representatives from the member agencies.

Sec. 4. The amount necessary for this event, including the operations of the Committee, its secretariat and working groups, shall come from sponsorships, donations, grants, contributions, proceeds from tournament related activities, or any form of assistance from any private or government entities.

Sec. 5. The Philippine Tourism Authority (PTA) is authorized to source funds from its Trust Liability (TLA) Account pursuant to Section 3 of Executive Order No. 46 (04 September 1986) to cover the hosting fee of \$50,000 to be incurred by the Committee.

Sec. 6. The Committee shall be authorized to pay honoraria to those who will be involved with this event, subject to existing accounting and auditing rules and regulations.

Sec. 7. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 18th day of April, in the year of our Lord, nineteen hundred and ninety seven.

(Sgd.) **FIDEL V. RAMOS**

By the President
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 329
AMENDING ADMINISTRATIVE ORDER NO. 222 DATED 30 MAY 1991 CREATING THE
INTER-AGENCY ROAD SAFETY COMMITTEE

I, **FIDEL V. RAMOS**, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby amended Administrative Order No. 222 dated 30 May 1991, and order the following:

Section 1. Section 1 is hereby amended to read as follows:

“Section 1. There is hereby created a National Road Safety Committee, hereinafter referred to as the Committee, composed of following:

Secretary, Department of Transportation and Communications	- Chairman
Secretary, Department of Public Works and Highways	- Vice Chairman
Secretary, Department of Interior and Local Government	- Co-Vice Chairman
Director General, National Economic and Development Authority	- Member
Secretary, Department of National Defense	- Member
Secretary, Department of Education Culture and Sports	- Member
Secretary, Department of Health	- Member
President, Safety Organization of the Philippines, Inc.	- Member
President, Philippine Motor Association	- Member”

Section 2. Section 4 is hereby revised to read as follows:

“Section 4. Monitoring and Reportorial Requirements. The Committee shall establish an effective monitoring system to ensure the timely and responsive implementation of the policies and programs on road safety. Based on this, the Committee shall submit a regular report to the President and the Cabinet on the status of the implementation of these policies and programs, including its recommendations, if any, to further enhance road safety in the country”.

Section 3. Sections 4 and 5 are also hereby renumbered as Sections 5 and 6, respectively.

Section 4. The Order shall take effect immediately.

DONE in the City of Manila, this 20 day of April, in the Year of our Lord, Nineteen Hundred and Ninety Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 330

**CREATING A COMMITTEE TO TAKE CHARGE OF THE FUNERAL ARRANGEMENTS AND
INTERMENT OF THE LATE DIOSDADO P. MACAPAGAL, FORMER PRESIDENT OF THE
REPUBLIC OF THE PHILIPPINES**

WHEREAS, Diosdado P. Macapagal, former President of the Republic of the Philippines, died unexpectedly on April 21, 1997, to the deep sorrow and anguish of the Filipino people;

WHEREAS, it is only fitting and proper that adequate arrangements be made for the holding of official necrological services and a state funeral for the former President, commensurate with the people's love and respect for him;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Committee on Funeral Arrangements and Burial, composed of the following:

Hon. Domingo L. Siazon	-	Chairman
Secretary of Foreign Affairs		
Hon. Ernesto Maceda or Representative	-	Member
Senate		
Hon. Jose de Venecia Jr. or Representative	-	Member
House of Representatives		
Hon. Andres R. Narvasa or Representative	-	Member
Supreme Court		
Hon. Ruben D. Torres	-	Member
Executive Secretary		
Hon. Renato de Villa	-	Member
Secretary of National Defense		
Hon. Manuel M. Lapid	-	Member
Pampanga Governor		
A Member of the Family	-	Member
Others as designated	-	Members

The Committee is hereby empowered to create such sub-committees as may be necessary to assist it in the performance of its functions.

Done in the City of Manila, this 22nd day of April, in the year of Our Lord, nineteen hundred and ninety-seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 331
IMPOSING THE PENALTY OF SIX (6) MONTHS SUSPENSION ON CEBU FIRST ASSISTANT
PROVINCIAL PROSECUTOR GLORIA LASTIMOSA-DALAWAMPU

This refers to the 27 July 1994 complaint filed before the Office of the Ombudsman by Julian Menchavez, a concerned citizen, against Cebu Provincial Prosecutor Oliveros Kintanar and 1st Assistant Provincial Prosecutor Gloria Lastimosa-Dalawampu. The respondents were charged of violating the provisions of R.A. No. 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees) and P.D. No. 807 (Civil Service Law) by their alleged refusal and defiance to comply with the directive of the Office of the Ombudsman to file the information for Attempted Rape against Santa Fe Mayor Rogelio Ilustrisimo.

The facts and proceedings of the case may be gleaned from the Supreme Court decision in G.R. No. 116801 dated April 6, 1995 entitled “Lastimosa vs. Vasquez” (243 SCRA 497).

“On February 18, 1993 Jessica Villacarlos Dayon, public health nurse of Santa Fe, Cebu, filed a criminal complaint for frustrated rape and an administrative complaint for immoral acts, abuse of authority and grave misconduct against Mayor Rogelio Ilustrisimo of Santa Fe, Cebu. The cases were filed with Office of Ombudsman-Visayas where they were docketed as OMB-VIS-(CRIM)-93-0410 and OMB-VIS-(CRIM)-93-0036, respectively.

The complaint was assigned to a graft investigation officer, who after an investigation, found no prima facie evidence and accordingly recommended the dismissal of the complaint. After reviewing the matter, however, the Ombudsman, Hon. Conrado Vasquez, disapproved the recommendation and instead directed that Mayor Ilustrisimo be charged with attempted rape in the Regional Trial Court.

Accordingly, in a letter dated May 17, 1994, the Deputy Ombudsman for Visayas, respondent Arturo C. Mojica, referred the case to Cebu Provincial Prosecutor Oliveros E. Kintanar for the “filing of appropriate information with the Regional Trial Court of Danao City, . . .” The case was eventually assigned to herein petitioner, First Assistant Provincial Prosecutor Gloria G. Lastimosa.

It appears that petitioner conducted a preliminary investigation on the basis of which she found that only acts of lasciviousness had been committed. With the approval of Provincial Prosecutor Kintanar, she filed on July 4, 1994 an information for acts of lasciviousness against Mayor Ilustrisimo with the Municipal Circuit Trial Court of Santa Fe.

In two letters written to the Provincial Prosecutor on July 11, 1994 and July 22, 1994, Deputy Ombudsman Mojica inquired as to any action taken on the

previous referral of the case, more specifically the directive of the Ombudsman to charge Mayor Ilustrisimo with attempted rape.

As no case for attempted rape had been filed by the Prosecutor's Office, Deputy Ombudsman Mojica ordered on July 27, 1994 Provincial Prosecutor Kintanar and petitioner Lastimosa to show cause why they should not be punished for contempt for "refusing and failing to obey the lawful directives" of the Office of the Ombudsman.

For this purpose a hearing was set on August 1, 1994. Petitioner and the Provincial Prosecutor were given until August 3, 1994 within which to submit their answer. An answer was timely filed by them and hearings were there upon conducted.

It appears that earlier, on July 22, 1994, two cases had been filed against the two prosecutors with the Office of the Ombudsman for Visayas by Julian Menchaves, a resident of Santa Fe, Cebu. One was an administrative complaint for violation of Sec. 3 (e) of Republic Act No. 3019 and Art. 208 of the Revised Penal Code. The complaints were based on the alleged refusal of petitioner and Kintanar to obey the orders of the Ombudsman to charge Mayor Ilustrisimo with attempted rape.

In the administrative case (OMB-VIS-(ADM)-94-0189) respondent Deputy Ombudsman for Visayas Mojica issued an order on August 15, 1994 placing petitioner Gloria G. Lastimosa and Provincial Prosecutor Oliveros E. Kintanar under preventive suspension for a period of six (6) months, pursuant to Rule 111, Sec. 9 of the Rules of Procedure of the Office of the Ombudsman (Administrative Order No. 7), in relation to Sec. 24 of R. A. No. 6670. The order was approved by Ombudsman Conrado M. Vasquez on August 16, 1994 and on August 18, 1994 Acting Secretary of Justice Ramon J. Liwag designated Eduardo Concepcion of Region VII as Acting Provincial Prosecutor of Cebu."

From the order of preventive suspension, respondent Lastimosa filed the aforementioned case before the Supreme Court questioning her preventive suspension and the proceedings against her, raising the issue of whether a prosecutor is duty bound to file an information in respect of a case not personally investigated by him. On April 6, 1995, the Supreme Court *en banc*, found the preventive suspension justified and dismissed the petition for lack of merit.

Meanwhile, the Office of the Ombudsman (Visayas) as a result of the hearings conducted, issued a resolution finding respondents guilty of Grave Misconduct, Neglect of Duty and Insubordination, and recommended to the Ombudsman the penalty of reprimand against respondent Kintanar and the six months suspension without pay of Lastimosa.

The Ombudsman approved the resolution subject to the modification recommended by the Chief Legal Counsel that the reprimand with respect to respondent Kintanar can no longer be implemented in the light of Kintanar's filing of certificate of candidacy for Congressman in the 1995 elections. By operation of law, Kintanar is deemed resigned from public office, thus bringing his person beyond the reach of the Ombudsman's disciplinary authority; and rendering the instant case, insofar as he is concerned, moot and academic.

A review of the aforementioned acts showed not only respondent's refusal but her defiance to comply with the directive for them to file the Information for Attempted Rape after a preliminary investigation of the case had been conducted by the Office of the Ombudsman. The duty of a

prosecutor designated or deputized by the Office of the Ombudsman “to act as special investigator or prosecutor” is mandated by Section 31 of the Ombudsman Act of 1989 (R.A. No. 6770), as follows:

“Designation of Investigators and Prosecutors. - The Ombudsman may utilize the personnel of his Office and/or designate or deputize any fiscal, state prosecutor or lawyer in the government service to act as special investigator or prosecutor to assist in the investigation and prosecution of certain cases. Those designated or deputized to assist him as herein provided shall be under his supervision and control. (Emphasis added)”

When a prosecutor is deputized pursuant to the foregoing provision of law, he comes under the “supervision and control” of the Ombudsman which means that he is subject to the power of the Ombudsman to direct, review, approve, reverse or modify his (prosecutor) decision. Petitioner cannot legally act on her own and refuse to prepare and file the information as directed by the Ombudsman.

Underscoring respondent’s refusal to file the information for Attempted Rape is the belligerent manner in which she expressed her contrary position *vis-a-vis* the directive issued by the Ombudsman who had supervision and control over her. The respondent further arrogated to herself the authority to pass upon the resolution of the Ombudsman in OMB-VIS-CRIM-93-0140, a prerogative that only the Supreme Court may, but is generally loathe to, exercise. Respondent Lastimosa in fact virtually reviewed, and substituted with her own, the final resolution of the Office of the Ombudsman in said case, resulting in the filing of a different charge. Considering further her open defiance to and contempt for the authority of the Office of the Ombudsman with the resulting obstruction of that Office’s functions, administrative sanctions are called for.

WHEREFORE, in view of the nature and gravity of the infractions committed, 1st Assistant Provincial Prosecutor Gloria Lastimosa-Dalawampu of the province of Cebu is hereby suspended from office for six (6) months without pay effective upon receipt of this Order.

SO ORDERED.

Manila, Philippines, 10 Dec 97.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 332

**DIRECTING ALL GOVERNMENT AGENCIES AND INSTRUMENTALITIES INCLUDING
LOCAL GOVERNMENT UNITS TO UNDERTAKE ELECTRONIC INTERCONNECTION
THROUGH THE INTERNET TO BE KNOWN AS THE RPWEB**

WHEREAS, the objective of the National Information and Technology Plan (NITP 2000) is to disseminate Information Technology in our society, giving priority to connecting the Philippines to the Global Information Infrastructure (GII), pursuant to our strategic vision of “Philippines 2000” and “pole vaulting” into the 21st century;

WHEREAS, there is a need to immediately set in place a viable and cost effective communication and information exchange system for greater speed and efficiency in intergovernmental communications and transactions, at the same time ensuring wider and faster access to government information and services among government agencies and the public;

WHEREAS, the National Information Technology Council (NITC) has recommended the adoption of the RPWEB while the House of Representatives has passed House Resolution No. 890 seeking the interconnection of all government agencies and instrumentalities, including government owned and controlled corporations, state universities and colleges and public schools through the Internet by connecting with any of the Internet Service Providers (ISPs) throughout the country;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Interconnection in the Government.* - All government departments, agencies, bureaus and instrumentalities and as practicable down to the division level, including field offices, government-owned and controlled corporations, state universities and colleges, public schools and local government units shall interconnect using the Internet, through any ISP. This virtual interconnection shall be known as the RPWEB which shall be the precursor to the Philippine Information Infrastructure (PII).

This Order shall be implemented in the following phases:

PHASE 1:	All Cabinet Members down to the Assistant Secretary levels, including all regional field offices and other offices outside of main office	First year 1997
SUCCEEDING PHASES:	Bureau Chief down to the Division level	Second year 1998 onwards

Government offices shall connect to the Internet as soon as possible. This phasing shall not inhibit other government offices to connect earlier as the circumstances would warrant specially government offices physically separated from the main offices, provided such connection is part of its information technology system plan/program.

SEC. 2. *Monitoring of Utilization of Budget for Interconnection.* - The Department of Budget and Management (DBM) shall monitor the utilization of the existing appropriations and savings of government agencies and instrumentalities pertaining to Internet connection. For the speedy acquisition of hardware, software data modems, telephone dial-up lines, leased/dedicated lines and local area networks necessary for the Internet connections, DBM shall no longer require government offices to submit individual requests for authority for the purpose, out of the above mentioned existing appropriations and savings.

SEC. 3. *Implementing Agency.* - The Department of Transportation and Communications, through the National Telecommunications Commission (NTC), shall undertake the following to facilitate the establishment of the RPWEB:

- a. Ensure that the ISPs servicing government offices and the academe are interconnected with each other for purposes of local data transmission via the Internet and through network access points which should also be connected to each other at no cost to the government;
- b. Ensure that the telecommunications carriers give priority, as may be necessary, to the telephone dial-up lines, leased/dedicated lines and trunking facility requirements of the ISPs;
- c. Ensure the completion of telecommunication facilities programmed for 1998 under the Service Area Scheme by requiring all telecommunication carriers to fast-track the implementation of their telephone roll-out programs, especially in the regions/provinces, as provided for in EO 109; and
- d. Study the possibility of reducing or maintaining at minimal levels the tariff rates on international and local leased/dedicated lines to ensure greater affordability of these services, as well as other measures that will encourage the wider use of and access to the Internet.

SEC. 4. *Project Implementation Monitoring.* - The National Information Technology Council shall monitor and evaluate the implementation after six (6) months to ensure that the objectives of this order are being attained and to make the necessary recommendations to improve its implementation.

The NITC, through the National Computer Center and in coordination with DBM and DOTC/NTC, shall issue such rules, regulations, circulars and other issuances as may be necessary to ensure the effective implementation of the provisions of this Administrative Order. The NITC shall also submit regular quarterly reports on the status of implementation of the RPWEB to the Office of the President.

SEC. 5. *Source of Funds.* - The funds necessary to undertake electronic interconnection through the Internet, known as RPWEB, shall be charged against the existing appropriations and savings of the respective government agencies and instrumentalities. Henceforth, all government departments, agencies, bureaus and instrumentalities shall set aside a minimum amount to cover the implementation and maintenance costs of Internet connection out of their appropriations in the annual general appropriations act and shall submit to DBM semestral reports on the amounts utilized for the RPWEB.

SEC. 6. *Repealing Clause.* - All issuances, orders and regulations or parts thereof which are inconsistent with any of the provisions of this administrative order are hereby repealed or modified accordingly.

SEC. 7. *Effectivity.* - This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 7th day of November, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

ADMINISTRATIVE ORDER NO. 333

Based on the records available on file and in the possession of Malacañang Records Office, Administrative Order No. 333 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 334
IMPOSING THE PENALTY OF DISMISSAL FROM THE SERVICE WITH FORFEITURE OF ALL
THE BENEFITS UNDER THE LAW OF ATTY. ARTEMIO B. CANA, SR., REGISTER OF DEEDS
FOR CAVITE

This refers to the administrative complaint filed by the National Bureau of Investigation against Atty. Artemio B. Cana, Sr., Register of Deeds for Marikina (formerly Register of Deeds for Cavite), for dishonesty and grave misconduct.

Record shows that the alleged anomalous and fraudulent acts/conduct complained of was committed by respondent during his tenure/stint as Register of Deeds for Cavite in relation to the transfer of a parcel of land consisting of 289,662 sq.m., located at Dasmariñas, Cavite, covered by Transfer Certificate of Title (TCT) (11760) RT-19813, and formerly owned by Serapio Cuenca. The latter sold the subject property on December 1, 1987 to Florinda Estrada who, after payment by Serapio Cuenca of the capital gains tax and documentary stamps tax and with the issuance of the corresponding BIR Certificate Authorizing Registration No. 954131 by the BIR, was issued TCT No. 630341. Subsequently, Estrada sold the same property to the Philippine Communications Satellite Corporation (Philcomsat, for brevity) on August 2, 1996 for a consideration of ₱50,000,000.00 which sale was inscribed on TCT 630341 on August 7, 1996. The vendor, Estrada, paid the amount of ₱1,448,310.00 as capital gains tax, as evidenced by a Return Application for Certificate Authorizing Registration, and the amount of ₱434,505.00 for documentary stamps tax. However, as can be gleaned from TCT 630341 it was made to appear under Entry No. 124 that the amount of ₱2,500,000.00 was paid as capital gains tax. On the same day, August 7, 1996, the property was transferred in the name of Philcomsat which was issued TCT No. 649189.

In charging respondent for grave misconduct, the National Bureau of Investigation (NBI) alleges that the government lost a substantial amount of revenue because of the non-payment of capital gains taxes by Estrada relative to the sale of the subject property to Philcomsat. Likewise, the government suffered substantial loss of revenue when title to the property was transferred from Serapio Cuenca to Florinda Estrada by reason of the payment of deficient taxes. The revenue losses could not have happened without the active participation and intercession of respondent who, as Register of Deeds for Cavite, used his office, power, authority and influence in having the property transferred from Serapio Cuenca to the latest owner, Philcomsat, knowing fully well that the proper taxes had not been paid as the required documents to have the property transferred were not presented.

As regards the charge of dishonesty, complainant alleges that while respondent was in possession of some documents relative to the sale of the subject property when he directed his subordinate employee to cause the transfer thereof from Estrada to Philcomsat, the said documents, however, do not appear to have been duly recorded much less filed with the Office of the Register of Deeds of Cavite. Also, respondent made it appear that the BIR issued a CAR when actually there was none.

In support of its complaint, the NBI presented as witnesses respondent's subordinate employees at the Office of the Register of Deeds of Cavite, namely: Josesito B. Vidallon, Orlando Arbolante, Celso

Maligalig, Rene Almario, Rodel F. Rojas, Bernardo Pau and Jeanette Eclar, whose uncontroverted testimonies clearly established that respondent personally directed the preparation of the new title transferring the subject property from Florinda Estrada to its new owner, Philcomsat, without having the same pass thru the regular office procedure and even without the submission of all the documentary requirements/pre-requisites necessary before the title to the subject property could be transferred to its new owner. Likewise, it was confirmed that respondent presented to Vidallon some documents for inscriptions relative to the sale transaction in question which documents were in turn given back to respondent but the same could no longer be located.

In exculpation, respondent denies the accusation. He avers that he never conspired with Estrada nor with anybody to have the subject property transferred in the name of Philcomsat without paying the proper taxes. His duty is only ministerial if the buyer and seller present all the documents and clearances required by law and have paid the corresponding local and national taxes or fees. He has no control over the documents at the Office of the Register of Deeds of Cavite for the said documents are being kept by the vault keeper or the records custodian. He cited the testimony of one of his subordinate employees to the effect that TCT No. 11760 was taken by a certain Atty. Enrique Basa of the Land Registration Authority (LRA) Investigation Division for transmission to the NBI. He thus claims that there is a big possibility that these titles and supporting documents relative to the subject property are in the hands of other persons.

Further, respondent cited the resolution of the fact finding committee created by LRA Administrator Reynaldo Y. Maulit exonerating him from any liability. He further claims that there has never been an inventory of documents, titles and records in the Office of the Register of Deeds of Cavite when he assumed office thereat and he does not have any idea or liability as to the loss of titles and other pertinent documents. Finally, he stressed that when he assumed the position of Register of Deeds for Cavite, he instituted reforms to rectify anomalous office transactions which act made some people uncomfortable who could have retaliated by filing malicious accusations and presenting spurious evidence against him.

During the formal investigation, the Revenue District Officer David Alarcon of the Bureau of Internal Revenue was subpoenaed to shed light in the investigation. RDO Alarcon issued a certification to the effect that on August 7, 1996 the amounts of ₱434,493.00 and ₱1,468,310.00. documentary and capital gains tax, respectively, were paid by Florinda Estrada to the BIR. The certification likewise states that no other amount was paid by Florinda Estrada and that no Certificate Authorizing Registration (CAR) was ever issued by the BIR authorizing the Register of Deeds to transfer the title of the subject property from Florinda Estrada to Philcomsat. Respondent, despite being furnished a copy of the said certification, failed to refute the same.

Senior State Prosecutor Theodore M. Villanueva was directed to conduct a formal investigation of the instant administrative complaint. Although respondent was given the opportunity to present controverting evidence, his counsel, in a motion dated February 25, 1997, submitted the case for resolution and waived their right to a formal investigation. Upon evidence on record, SSP Villanueva found respondent liable for dishonesty and grave misconduct and recommended respondent's dismissal from the service with forfeiture of benefits under the law.

After a careful evaluation on the record of the case, the Secretary of Justice found respondent administratively liable for the offense charged and recommended respondent's dismissal from the service with forfeiture of benefits under the law.

We concur.

Relative to the charge of grave misconduct, complainant's evidence clearly shows that respondent had a direct and active participation in the transfer of the subject property from Florinda Estrada to

Philcomsat which we find anomalous under the following circumstances, to wit: 1) the said transfer was undertaken without passing thru the regular office procedure, i.e., the documents relative thereto should have been presented and examined by a land registration examiner in order that all the necessary documentary requirements/pre-requisites would have been checked and verified and cross-checked and cross-verified with their office copies on file; 2) the transfer was made even without the BIR Certificate Authorizing Registration (CAR), a required and vital document to have title/ownership to a piece of land transferred; and, (3) that there was a substantial deficiency in the amount paid as capital gains tax. This anomalous transfer of the subject property undertaken by respondent constitutes grave misconduct because not only did it result in revenue loss to the government but also undermined the integrity of the government's torrens title system.

As regards the charge of dishonesty, respondent failed to controvert complainant's evidence that when respondent directed Vidallon to cause the transfer of the title to the subject property from Estrada to Philcomsat, respondent presented some documents relative thereto but nowhere from the records and vault of the Office of the Register of Deeds of Cavite could the said documents be found. Also, respondent made it appear that the BIR issued a CAR when in truth and in fact there was no CAR issued. Respondent's denial of being in possession of the said documents constitutes dishonesty on his part considering the positive and uncontroverted evidence that respondent had the documents and the same were returned to him (respondent) after he (Vidallon) caused the transfer of the subject property from Estrada to Philcomsat.

Moreover, we find untenable respondent's claim that as Register of Deeds his duty is only ministerial. It should be stressed that respondent's duty as Register of Deeds becomes ministerial only upon compliance with all the requisites for registration. It is his bounden duty under the law to exercise diligence and dedication to the service to protect the integrity of the government's torrens title system. When respondent affixed his signature on the TCT, he assured the general public, under his oath of office, that all the documentary requirements, taxes and fees were met. However, in the subject transaction, respondent wantonly disregarded the standard office procedure in causing its transfer from Florinda Estrada to Philcomsat. By such act of disregard, respondent's inordinate interest in the transfer of the subject property becomes evident and suspicious. In fact, such interest was further underscored when the transfer was made even without the corresponding CAR from the BIR which is a document vital to the said transfer.

Needless to state, respondent's claim of having been exonerated by the fact finding committee created by LRA Administrator Reynaldo Y. Maulit deserves scant consideration. Worthy of note is the fact that the said inquiry was only in relation to the transfer of the subject property from Serapio Cuenca to Florinda Estrada and not the transfer from Florinda Estrada to Philcomsat, the subject of inquiry in the instant administrative complaint.

Indeed, respondent's reprehensible act of dishonesty and grave misconduct not only undermined the public faith in the government's torrens title system, it also caused substantial revenue loss to the government. While we are aware of the repercussions in meting the extreme penalty of respondent's dismissal from the service, we, however, cannot countenance the anomalous transfer of the subject property which prejudiced the government, thus, meriting no further compassion.

WHEREFORE, premises considered, Atty. Artemio B. Cana, Sr., Register of Deeds for Marikina (former Register of Deeds for Cavite) is hereby found liable for dishonesty and grave misconduct. Consequently, his dismissal from the service with forfeiture of all benefits under the law is hereby imposed, effective fifteen (15) days after his receipt of a copy of this Order pursuant to Book VII, Section 15 of the Administrative Code of 1987.

DONE in the City of Manila, this 30th day of April, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 335
IMPOSING THE PENALTY OF DISMISSAL FROM SERVICE WITH FORFEITURE OF
RETIREMENT AND GRATUITY BENEFITS UNDER THE LAW ON ATTORNEY NEREO C.
NUÑEZ, REGISTER OF DEEDS OF OZAMIZ CITY

This refers to the 31 July 1995 administrative complaint for grave misconduct filed *motu proprio* by the Land Registration Authority (LRA) against Atty. Nereo C. Nuñez, Register of Deeds of Ozamiz City for his failure to account, for among others, three hundred (300) pieces of blank land title forms.

The records show that on 01 December 1993, Atty. Nuñez personally received from the Land Registration Authority, Property Section, three hundred (300) pieces of Judicial Forms 109 and 109-D bearing serial numbers 2940901 to 2941200, one typewriter, three (3) staplers and carbon papers. Said items were not turned over by Atty. Nuñez to the Ozamiz City Registry of Deeds, as confirmed by the 17 May 1995 letter of Acting Register of Deeds Libby S. Tan. This was later validated by the failure of Atty. Nuñez to mention the 300 forms in his January to December 1994 Report on Judicial Forms which submitted to the LRA Central Office.

On 05 June 1995, the Chief of the LRA Inspection and Investigation Division formally requested respondent to account for the missing forms. Despite receipt of the letter, no explanation was submitted by the respondent.

On 31 July 1995, the present charge against the respondent was raised by LRA Administrator Reynaldo Maulit. Two “show-cause” directives were sent to respondent requiring him to explain his failure to account for the forms and supplies he received. He was warned that his failure to answer will be deemed a waiver of his right to a hearing and the case deemed submitted for appropriate action. Again, notwithstanding receipt of the second notice, respondent failed to respond.

The evidence gathered during the investigation established the illegal and fraudulent use by the respondent of the land title forms which he received.

Atty. Libby Tan submitted on 25 July 1995, four copies of certificates of title nos. T-17915, T-20404, T-20566 and T-20249 issued and signed by the respondent and which bear serial nos. 2940918, 2940925, 2940973 and 2940967, respectively. Said serial numbers are among the missing 300 land title-forms.

The falsity of the foregoing alleged certificates of titles was confirmed by the certified genuine copies of the four Transfer Certificate of Titles submitted by Records Officer Adelina A. Chiong.

Following are the titles issued by the respondent using the missing serial numbers vis-à-vis the regularly issued serial numbers:

1. TCT No. 17915

SN 2940918	:	SN 2859414
(Missing form)		

Registered Owner Purissima Habel	:	Registered Owner: Compressed Air Machines and Equipment Corporation
Lot No. 3255-C-1 Plan (LRC) Psd 258636 Area: 944 sq. m.	:	Lot No. 16-B Plan (LRC) Psd-135744 Area: 35,091 sq. m.

2. TCT No. T-20404

SN 2940925 (Missing form)	:	SN 3260522
Registered Owner Helen Medina	:	Registered Owner: Antero Roa
Lot No. 3259-D-4 Plan Psd-10-005615 Area: 325 sq. m.	:	Lot No. 1105-B-2 Plan (LRC) Psd-10-888094 Area: 2,452 sq. m.

3. TCT No. T-20566

SN 2940973 (Missing form)	:	SN 3533822
Registered Owner Regina Tenchavez	:	Registered Owner: Dante Bandoles
Lot No. 5433-C Plan Psd-10-008885 Area: 640 sq. m.	:	Lot No. 1333-B-2-F-4 Plan Psd-10-020695 Area: 200 sq. m.

4. TCT No. T-20249

SN 2940967 (Missing form)	:	SN 3260392
Registered Owner Rufina Cabrera-Castro	:	Registered Owner: Eugene L. Lim
Lot No. 966-A Plan Psd-10-021735 Area: 642 sq. m.	:	Lot No. 3020-A Plan (LRC) Psd-10-021607 Area: 8,726 sq. m.

As further proof of the spurious nature of the transactions, the titles issued in the names of Habel, Medina, Tenchavez and Cabrera-Castro are not supported by the records of the Ozamiz City Registry of Deeds, particularly the Primary Book for Act 496.

The records, therefore, provide sufficient basis to conclude that respondent, taking advantage of his position, used the aforementioned four title forms in perpetrating fraud. By said acts, respondent committed a serious breach of his duties as Register of Deeds. The damage which the same has wrought on the integrity of our Torrens system is grave and clearly militates against his continued stay in the service.

In view of the foregoing, and upon the recommendation of the Department of Justice, respondent Nereo C. Nuñez is found guilty of grave misconduct. Accordingly, respondent is hereby **DISMISSED** from service, with forfeiture of retirement and gratuity benefits under the law.

Let the records of this case be furnished to the Office of the Ombudsman for the conduct of proper criminal investigation against respondent Nuñez.

DONE in the City of Manila, this 19th day of May, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 336
CONSTITUTING A NATIONAL ORGANIZING COMMITTEE FOR THE
CONSEIL INTERNATIONAL DES ORGANIZATIONS DE FOLKLORE ET D’
ARTS TRADITIONNELS (CIOFF) WORLD FOLKLORIC FESTIVAL TO BE HELD IN MARCH
1998 AND THE WORLD DANCE ALLIANCE (WDA) INTERNATIONAL CONFERENCE AND
FESTIVAL IN AUGUST 1998

WHEREAS, the Philippine Government, in line with its current thrust of “Pole vaulting to the 21st century”, aims to establish the country as the Center of Culture and Arts in Asia;

WHEREAS, the Philippines, as member of the Conseil International des Organizations de Folklore et D’ Arts Traditionnels (CIOFF) and the World Dance Alliance-Asia Pacific Center (WDA), has committed to host the CIOFF World Folkloric Festival in March 1998 and the WDA International Conference and Festival in August 1998;

WHEREAS, these international events are excellent opportunities to highlight the global competitiveness of our country in the area of culture and arts and share our experiences with other participating countries in the social and cultural function of dance;

WHEREAS, the holding of the CIOFF World Folkloric Festival and the WDA International Conference and Festival (WDA) in 1998 will coincide with the Culminating Year of the Centennial Celebrations and will bring international prestige, publicity, goodwill, and economic benefits to the country; and,

WHEREAS, there is need to constitute a National Organizing Committee to ensure the success of these two international events.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. Creation of the National Organizing Committee for the CIOFF World Folkloric Festival and the WDA International Conference and Festival in 1998. There is hereby created a National Organizing Committee (hereinafter referred to as the “Committee”) to plan, prepare for, oversee/supervise and ensure the successful conduct of the CIOFF World Folkloric Festival and the World Dance Alliance International Conference and Festival in March and August 1998, respectively.

SEC. 2. Composition of the Committee. The Committee shall be composed of the Chairman, National Commission on Culture and the Arts as Chair, the Secretary of Tourism, as Co-Chair, the President of the Cultural Center of the Philippines as Vice-Chair and representatives from the following departments/agencies, as members:

- a. Department of Foreign Affairs
- b. Department of Budget and Management
- c. Department of Interior and Local Government
- d. Department of Education, Culture and Sports

- e. Commission on Higher Education
- f. Philippine Amusement and Gaming Corporation
- g. National Centennial Commission
- h. Presidential Management Staff

The Committee shall also include two (2) representatives from the private sector to be determined by the Committee.

SEC. 3. Functions of the Committee. The Committee shall exercise the following functions and responsibilities:

- a. Serve as the coordinating body between the private sector and various government agencies to ensure that all the requirements for the events are attended to and implemented;
- b. Ensure that the economic advantages of the events are maximized through a concerted and cost-effective country team approach;
- c. Negotiate and conclude contract relative to the events, including services of consultants and hiring of contractual employees whose term of office is co-terminus with the project;
- d. Call on any department, bureau or office of the Government, including government-owned and controlled corporations, to render such assistance as it may need in the discharge of its functions;
- e. Seek the assistance of and coordinate with private entities, associations, foundations, cooperatives, and other non-government organizations, in mounting and meeting the requirements for the events;
- f. Submit periodic reports to the President on the status of preparations for the two (2) international festivals and post-activity reports after the conduct of the said festivals; and,
- g. Perform other functions/tasks as may be directed by the President.

SEC. 4. Secretariat. The Cultural Center of the Philippines shall serve as the Secretariat to the Committee to service its technical and administrative requirements.

SEC. 5. Funding. An amount of **TWO MILLION PESOS** (P2,000,000), **ONE MILLION PESOS** (P1,000,000) from the 1997 OP-DBM Savings and **ONE MILLION PESOS** (P1,000,000) from the Trust Liability Account of the Department of Tourism, shall be released to the Cultural Center of the Philippines as Secretariat of the Committee, subject to regular accounting and auditing procedures. The Committee is hereby given authority to solicit donations, grants, contributions, sponsorships and/or any form of assistance from private or government entities.

Section 6. Term of the Committee. The Committee shall cease to exist upon termination of the Projects in 1998.

Section 7. Effectivity. This Administrative Order shall take effect immediately.

DONE, in the City of Manila, this 16th day of May, in the year of Our Lord, Nineteen Hundred and Ninety Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 337

AMENDING ARTICLE 77(2) OF THE RULES AND REGULATIONS IMPLEMENTING THE
LOCAL GOVERNMENT CODE OF 1991 (RA 7160) ON THE COMPENSATION OF EX
OFFICIO MEMBERS IN THE SANGGUNIAN PANLALAWIGAN, SANGGUNIAN BAYAN
AND SANGGUNIAN PANLUNGSOD

WHEREAS, Administrative Order No. 270 was issued on February 21, 1992, approving and adopting the Rules and Regulations Implementing the Local Government Code of 1991, declaring the same as an integral part of the said Administrative Order;

WHEREAS, the Department of Budget and Management issued Local Budget Circular No. 53 dated September 1, 1993, adopting and applying, among others, the second paragraph of Article 77 of the aforesaid IRR of RA 7160;

WHEREAS, recent developments have caused financial problems and confusion in various local government units pertaining to the payment of salaries, compensation and benefits of the youth and barangay representatives as ex officio members in the sanggunian panlalawigan, sanggunian bayan and sanggunian panlungsod;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby declare and order:

Section 1. Article 77, paragraph 2, of the Rules and Regulations Implementing the Local Government Code of 1991 (RA 7160) is hereby amended to read as follows:

“Art. 77. Compensation and Benefits. - xxx

‘(2) The ex officio members in the Sanggunian Panlalawigan representing the sanggunian kabataan and the liga ng mga barangay shall receive the full amount of their authorized salaries and emoluments from the provincial government where they sit as ex officio members. The province shall appropriate in full the needed amount for the aforementioned benefits equivalent to the amount actually due their regular elective counterparts in the said sanggunian: Provided, however, That the president of the provincial federation of sanggunian members of municipalities and component cities who likewise sit as ex officio member in the sanggunian panlalawigan shall receive his authorized salary and other emoluments from the component city or municipality which he represents and the province shall appropriate only for the additional allowances of said member such that his total compensation shall be equivalent to the compensation actually received by his elective counterpart in the sanggunian panlalawigan.”

Sec. 2. The remaining provisions of Article 77 of the IRR which are not hereby affected shall remain in full force and effect.

Sec. 3. All other administrative issuances or any part or parts thereof which are inconsistent herewith are hereby amended, modified or repealed accordingly.

Sec. 4. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 22nd day of May, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). [*Administrative Order Nos.: 301 - 407*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 338
DIRECTING THE TRANSFER OF THE ANTI-KIDNAP FOR RANSOM OPERATIONS IN
CENTRAL MINDANAO TO THE ARMED FORCES OF THE PHILIPPINES (AFP)

WHEREAS, Section 12 of RA 6975, as implemented by Section 14 of Executive Order No. 216, series of 1994, called upon the Armed Forces of the Philippines (AFP) to undertake the primary role in Internal Security Operations in Mindanao;

WHEREAS, pursuant to Section 5 of the above-mentioned executive order, the President, upon the recommendation of the National Peace and Order Council, may call upon the AFP to assume the primary role in the Internal Security Operations, as warranted by the security conditions in the area;

WHEREAS, the kidnapping situation in Mindanao has turned into a serious security concern necessitating the employment of bigger tactical forces;

WHEREAS, the Chairman of the National Peace and Order Council, recognizing the worsening kidnapping condition, has recommended the transfer from the Joint Task Force Tabang, under the DILG-PNP, to the AFP, the anti-Kidnap for Ransom operations in Central Mindanao;

WHEREAS, the AFP has the manpower, expertise and resources, especially aircraft and watercraft, for effective counter-actions to address the MILF Lost Command - led Kidnap for Ransom syndicates who have taken refuge in the Mindanao marshlands;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby direct the transfer to, and designate as lead agency, the Armed Forces of the Philippines (AFP) the anti-Kidnap for Ransom operations in Central Mindanao. The Commander of the Southern Command shall be in charge of the over-all operations in his area.

This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 23 day of May, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT

ADMINISTRATIVE ORDER NO. 339
PRESCRIBING GUIDELINES AND SPECIFICATIONS OF MOTOR VEHICLES FOR LOCAL
GOVERNMENT UNITS

WHEREAS, the acquisition of motor vehicles by the LGUs is necessary to enable local government personnel to more efficiently and effectively perform their assigned functions and responsibilities;

WHEREAS, it is necessary to prescribe certain guidelines and specifications to ensure that the motor vehicles which the LGUs have to purchase are appropriate to the intended uses and users;

WHEREAS, as in the case of national government agencies, the optimum use of resources in the purchase of motor vehicles will enhance the efforts of the LGUs to more expeditiously pursue their development objectives;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. - Governors, City and Municipal Mayors and Punong Barangays are hereby authorized to purchase transport and heavy equipment for their respective provinces, cities, municipalities and barangays out of unencumbered local funds covered by an appropriations ordinance specifically authorizing/earmarking the appropriations for the purpose, subject to the following specifications:

a. Service Vehicles of Local Government Officials

1. For the Use of Provincial Governors and City Mayors - Any four-wheel vehicle with not less than four doors and an engine with a displacement not exceeding 2000 cc for gasoline or 2800 cc for diesel. Allowable options are car airconditioning, AM/FM stereo cassette/CD player and magwheels.
2. For the Use of Vice Governors, Municipal Mayors, City Vice Mayors and Municipal Vice Mayors - Any four-wheel vehicle with not less than four doors and an engine with a displacement not exceeding 1500 cc for gasoline or 2200 cc for diesel. Allowable options are car airconditioning, AM/FM stereo cassette player and magwheels.

b. Service/Utility Vehicles

1. For General Urban Use - Any four-wheel utility type vehicle, high side pick-up with roof, with locally manufactured chassis and body, and an engine with a displacement not exceeding 1800 cc for gasoline or 2500 cc for diesel. Allowable options are AM/FM cassette player and car airconditioning.
2. For Semi-Rugged Road Conditions in Rural Areas - Any four-wheel "assembled" vehicle with locally manufactured/fabricated owner-type jeep chassis and body fitted with

reconditioned/surplus engine with a displacement not exceeding 1800 cc for gasoline or 2500 cc for diesel.

Any four-wheel “assembled” vehicle with a locally manufactured/fabricated passenger jeepney type chassis and body, fitted with reconditioned/surplus engine with a displacement not exceeding 2000 cc for gasoline or 3500 cc for diesel and a sitting capacity not exceeding twenty- one (21) persons including the driver.

3. For Remote Areas with Generally Rugged Road Condition and Mountainous Terrain - Any four-wheel pick-up type vehicle with imported chassis and body, and an engine with a displacement not exceeding 2200 cc for gasoline or 3000 cc for diesel. Allowable options are AM/FM stereo cassette player, car airconditioning, four-wheel drive and magwheels.
4. For Travel to Remote Areas Not Normally Accessible by Ordinary Transport Vehicles - Any two-wheel vehicle with a two or four-stroke cycle engine with a displacement not exceeding 125 cc. Allowable options are windscreen, saddlebag and sidecar.

c. For Transport of Sick and/or Injured Persons

1. Any four-wheel utility type vehicle with locally manufactured chassis and body and an engine with a displacement not exceeding 1800 cc for gasoline or 2500 cc for diesel. Allowable options are rotating/flashing lights, siren, two-way radio, airconditioning and AM/FM stereo cassette player.
2. Any four-wheel van or wagon type vehicle with either imported or locally manufactured chassis and body and an engine with a displacement not exceeding 2000 cc for gasoline or 2700 cc for diesel. Allowable options are same as c.1 above.
The motor vehicles indicated in c.1 and c.2 may be converted into an ambulance fitted with necessary medical equipment and apparatus.
3. Original Ambulance - Specifications and special features vary according to manufacturers.

d. For Water Transport

1. A locally fabricated boat/banca with a wooden hull having a passenger carrying capacity not exceeding fifteen (15) persons, with RH and LH rigs, with or without roof and an inboard engine not exceeding thirty (30) horsepower.

e. For City and Municipal Patrol Operations

1. Patrol Car - Any four-wheel vehicle with not less than four doors and an engine with a displacement not exceeding 1600 cc for gasoline or 2400 cc for diesel. Allowable options are rotating/flashing lights, siren, two-way radio and airconditioning.
2. Patrol Vehicle - Any four-wheel vehicle with locally manufactured/fabricated chassis and body and an engine with a displacement not exceeding 1800 cc for gasoline or 2500 cc for diesel. Allowable options are same as e.1 above.
3. Patrol Motorcycle - Any two-wheel vehicle with a two or four-stroke cycle engine with a displacement not exceeding 125 cc. Allowable options are rotating/flashing lights, siren, windscreen, saddlebag, sidecar and two-way radio.

f. For Highway Patrol Operations

1. Patrol Car - Any four-wheel vehicle with not less than four doors and an engine with a displacement not exceeding 1800 cc for gasoline or 2600 cc for diesel. Allowable options are same as in e.1.

2. Patrol Motorcycle - Any two-wheel vehicle with a two or four-stroke cycle engine with a displacement not exceeding 450 cc. Allowable options are same as in e.3.

g. **For Waste Management, Construction and Maintenance of Roads and Bridges** - Dump trucks, graders, payloaders, road rollers, cement mixers and other related equipment. Specifications/features vary according to manufacturer, size, capacity, intended use, etc.

SEC. 2.- The present inventory of motor vehicles shall at all times be taken into consideration in determining the need to acquire additional motor vehicles as well as the appropriateness of the number, type and specifications of the motor vehicles to the intended use/user.

SEC. 3. - All purchases shall be subject to strict budgeting, accounting and auditing rules and regulations.

SEC. 4. - This Administrative Order shall take effect immediately.

DONE in the City of Manila this 6th day of June, in the year of Our Lord Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **LUIS C. LIWANAG II**

Acting Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 340
CREATING A PRESIDENTIAL TASK FORCE TO STUDY AND PLAN FOR A NEW CAPITAL CITY FOR THE PHILIPPINES IN THE 21ST CENTURY

WHEREAS, the National Development Summit held on 8-9 June 1997 adopted a Pole-Vaulting Strategy which will make our country's development from hereon citius (faster), fortius (stronger), and altius (higher);

WHEREAS, the Pole-Vaulting Strategy builds on the confidence gained over the past five years in putting our house in order and starts the long process of building a new home for the succeeding generations of Filipinos;

WHEREAS, part of the process of building a new home for our people is the establishment of a new city which will be the Capital City of a new and better Philippines in the 21st Century;

WHEREAS, with the rapid developments in telecommunications, multi-media, construction, and knowledge-based technologies, the Filipino people deserve a New Capital City that will reflect these changes in the global community;

WHEREAS, a New Capital City for the Philippines in the 21st century should be ecologically sound, aesthetically pleasing, culturally affirming, and utilizing high-technology (intelligent city);

WHEREAS, it would be in the best interest of our people if the New Capital City could also serve as a physical and cultural symbol of renewal, excellence and new-found pride, and a model for the development of similar potential areas in the future; and

WHEREAS, toward the integrated and harmonious planning for a New Capital City for the Philippines in the 21st century, there is need to constitute a Task Force that would ensure the active participation of the government and the private sector.

NOW, THEREFORE, I FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. CREATION OF A PRESIDENTIAL TASK FORCE TO STUDY AND PLAN FOR A NEW CAPITAL CITY FOR THE PHILIPPINES IN THE 21ST CENTURY. There is hereby created a Presidential Task Force to Formulate a New Capital City for the Philippines, hereinafter referred to as the "Task Force".

SEC. 2. COMPOSITION. The Task Force shall be chaired by the Secretary of the Department of Public Works and Highways, and composed of representatives of the following:

- a. Office of the President;
- b. Department of the Interior and Local Government;
- c. Department of Trade and Industry;
- d. Department of Transportation and Communications;
- e. Department of Environment and Natural Resources;
- f. Department of Budget and Management;

- g. Department of Science and Technology;
- h. National Economic and Development Authority;
- i. Presidential Management Staff;
- j. National Youth Commission;
- k. Housing and Urban Development Coordinating Council;
- l. University of the Philippines;
- m. Concerned Local Government Executives to be identified by the Task Force; and
- n. Ten (10) representatives from the private sector/non-government organizations to be appointed by the Chairman.

SEC. 3. FUNCTIONS. The Task Force shall have the following powers, functions, duties and responsibilities:

- a. Establish the conceptual framework and parameters and prepare the terms of reference for planning for a New Capital City for the Philippines in the 21st Century;
- b. Determine criteria for identification of potential sites for the New Capital City and prepare a short-list of viable sites guided by the following characteristics, among others:
 - i) strategically located
 - ii) has potential to attract human resource base and accommodate basic infrastructure facilities
 - iii) ecologically balanced
- c. Adopt a process of maximum consultation with all concerned sectors to ensure that their needs, concerns and ideas are considered;
- d. Submit regular progress reports to the President; and
- e. Perform such other tasks as may be instructed by the President.

SEC. 4. ASSISTANCE FROM OTHER GOVERNMENT AGENCIES. The Task Force is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the national government, including government-owned-and-controlled corporations (GOCCs), for such assistance as it may need in the discharge of its functions.

SEC. 5. SECRETARIAT SUPPORT. The Department of Public Works and Highways shall provide secretariat support to the Task Force.

SEC. 6. FUNDING. Funds for the operations of the Task Force shall be taken from the President's Contingent Fund or from other sources to be determined by the Department of Budget and Management.

SEC. 7. EFFECTIVITY. This Administrative Order shall take effect immediately.

DONE, in the City of Manila, this 10th day of June, in the Year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 341
IMPLEMENTING THE PHILIPPINE HEALTH PROMOTION PROGRAM THROUGH
HEALTHY PLACES

WHEREAS, Section 15, Article II of the Philippine Constitution provides that “the State shall protect and promote the right to health of the people and instill health consciousness among them”;

WHEREAS, there has been a reported increase in the incidence of preventable diseases in Asia and in the country;

WHEREAS, there is a need to undertake more health promotion and disease preventive measures;

WHEREAS, health promotion must involve all people and all places at all times requiring concerted and collaborative efforts among the various national and local government agencies as well as the private sector;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby direct the following:

SECTION 1. Establishment of the Philippine Health Promotion Program Through Healthy Places. A national multi-sectoral health promotion strategy which aims to communicate health messages and build health supportive environment through advocacy, networking and community action, to be known as the Philippine Health Promotion Program Through Healthy Places, is hereby established.

SEC. 2. Goal and Objectives. The program’s goal shall be a Healthy Philippines by the year 2000, with the following objectives:

- a. Identify strategic health messages and maximize their communication to the people;
- b. Promote these health messages in partnership with organized groups and different sectors through multi-sectoral action, networking and inter-sectoral linkages;
- c. Increase awareness and understanding of the interaction between health, environment and development as these apply to different places and context; and
- d. Identify and address the socio-cultural, environmental, religious and ethnic factors that bring about poor health and advocate for true social reforms, particularly among the disadvantaged groups.

SEC. 3. Strategy. Social mobilization for health promotion shall be the key strategy of the program. This shall involve advocacy, networking, information, education and communication (IEC), capability building, community organization, monitoring and evaluation.

SEC. 4. The Department of Health as Lead Agency. The Department of Health shall be the lead agency for the program. As the lead agency, the Department of Health shall formulate a comprehensive, continuing and integral plan of action and manual of operations for a health promotion program containing the rationale, objectives, target clientele, indicators and standards/checklists.

SEC. 5. Role of the Local Government Units and Involvement of NGOs, POs, and Private Sector. The local government units, in coordination with concerned agencies, shall ensure continued promotion of strategic health messages in key settings in provinces, cities, municipalities and barangays. Through multi-sectoral consultations, advocacy, networking, capability building and community action, they shall also be responsible in building and sustaining a health supportive environment based on the standard health indicators for each key setting.

SEC. 6. Key Settings. The program shall work through key settings or “Healthy Places” which shall include homes, schools, workplaces, vehicles, streets/bus stations, eating places, hospitals, hotels, markets, moviehouses, rest rooms, ports, prisons, and resorts.

SEC. 7. Recognition and Awards. The Barangay Technical Working Group, as created under Section 8 hereof, shall give due recognition to the key settings which receive the highest rating in accordance with the basic indicators enumerated in Section 9 hereof.

A separate recognition shall be given to the outstanding region, provinces, municipalities, cities and barangays which have distinguished themselves by receiving the highest rating in their category, in accordance with the 14 basic indicators enumerated in Section 9 hereof.

SEC. 8. Creation of Technical Working Groups. There is hereby created the following Technical Working Groups with their respective compositions:

I. National Technical Working Group (NTWG). The NTWG shall be composed of the following:

A. Government Agencies:

Department of Health, National Intra-Sectoral Committee, from which the Chairman shall be appointed by the Secretary of Health
A representative from each of the following departments:

- a) Department of Interior and Local Government
- b) Department of Education, Culture and Sports
- c) Department of Environment and Natural Resources
- d) Department of Tourism
- e) Department of Labor and Employment
- f) Department of Trade and Industry

B. Private Sector

A representative each from a non-government organization, private/business sector, people’s organization, professional group, civic/religious group and the media, to be appointed by the Secretary of Health upon the recommendation of the Chairman of the NTWG

II. Regional Technical Working Group (RTWG). The RTWG shall be composed of the following:

A. Government Agencies:

Department of Health, Regional Intra-Sectoral Committee, from which the Chairman shall be designated by Regional Director of the Department of Health

A representative from each of the following department's regional offices:

- a) Department of Interior and Local Government
- b) Department of Education, Culture and Sports
- c) Department of Environment and Natural Resources
- d) Department of Tourism
- e) Department of Labor and Employment
- f) Department of Trade and Industry

B. Private Sector

A representative each from non-government organization, private/business sector, people's organization, professional group, civic/religious group and the media, to be appointed by the concerned Regional Director, Department of Health upon the recommendation of the Chairman of the RTWG

III. Provincial Technical Working Group (PTWG). The PTWG shall be composed of the following:

- A. Provincial Governor or his/her duly authorized representative
- B. A representative each from non-government organization, private/business sector, people's organization and civic/religious group, to be appointed by the provincial governor upon the recommendation of the provincial health officer.

IV. Municipal/City Technical Working Group (M/CTWG). The M/CTWG shall be composed of the following:

- A. Municipal or City Mayor or his/her duly authorized representative
- B. A representative each from non-government organization, private/business sector, people's organization and civic/religious group, to be appointed by the provincial governor upon the recommendation of the provincial health officer.

V. Barangay Technical Working Group (BTWG). The BTWG shall be composed of the following:

- A. The Barangay Chairman
 - B. A representative each from people's organization and civic/religious group
-

SEC. 9. Functions. The Technical Working Groups shall discharge the following functions:

- a. implement the objectives set forth in Section 2 of this order; and
- b. evaluate the contenders in their areas of jurisdiction and confer the “Most Healthy Award”.

SEC. 10. Criteria for Judgment. The place shall be judged as “healthy”, based on the following 14 basic indicators:

- a) Percentage of households with access to safe and adequate drinking water;
- b) Percentage of households using sanitary toilets;
- c) Presence and maintenance of provincial / city / municipal / barangay waste collection and disposal system (waste management);
- d) Percentage of food establishments with rating of Satisfactory (S), Very Satisfactory (VS), and Excellent (E);
- e) Safety Environment
 - presence of appropriate danger and road signs;
 - incidence of vehicular traffic accidents;
 - fire incidence;
 - crime rate;
- f) Non-Pollution of the environment
 - percentage of factories accredited by the National Pollution Control Commission (NPCC) and with certificate issued by the Department of Environment and Natural Resources (DENR);
 - percentage of non-smoke belching vehicles;
 - meets water quality standards of the Environmental Management Bureau (EMB) of DENR (rivers, streams, canals, etc.);
 - absence of garbage litters in public places;
- g) Availability of health services
 - ratio of health personnel with the population;
 - availability of health facilities and supplies;
- h) Health practices
 - percentage of fully-immunized children;
 - percentage of breastfeeding mothers;
- i) Presence of health and environment-friendly livelihood programs;
- j) Nutritional status of the population with attention to the percentage of moderate and severe malnutrition among 0-5 age group;
- k) Morbidity and mortality rate of diseases;
- l) Provision of services to the elderly (ages over 60 years) and the handicapped;
- m) Presence of insect and vermin control measures;
- o) Preservation of trees and ornamental plant gardens along roads, pathways, parks, etc.

SEC. 11. Funding. The funds necessary for the implementation of the Program shall be sourced from the Comprehensive Health Care Agreement between local government units and the Department of Health.

SEC. 12. Submission of Regular Reports. The Department of Health shall submit regular reports to the Office of the President on the status of the implementation of the Program.

SEC. 13. Participation in Program. All departments and agencies of the government, as well as all local government units, are hereby directed to actively participate in the Program, using all channels of communication available to ensure widest dissemination of health messages. They are further ordered to integrate the program into existing health and environment-related programs. Finally, all multi-sectoral groups are enjoined to participate in the implementation of the program.

SEC. 14. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 11th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 342
CREATION OF A MALACAÑANG HISTORICAL COMMITTEE

WHEREAS, the Malacañang, which was acquired in 1825 by then Spanish Governor-General Juan Antonio Martinez to serve as summer residence of Spanish Governor Generals and since 1863, has become the official residence of the highest official of the land and the official venue for all state functions and events;

WHEREAS, the Malacañang, considered one of the most important historical treasures of the country, has also been the site of many socio-political landmark events in our history as a people;

WHEREAS, there is need to produce a comprehensive multi-media documentary on the rich historical heritage of Malacañang, showcasing significant events that transpired therein and featuring the people who occupied and visited it as well; and,

WHEREAS, the production of a documentary material on Malacañang requires collaborative efforts and close coordination among concerned agencies.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. Creation of a Malacañang Historical Committee. There is hereby created a Malacañang Historical Committee (hereinafter referred to as the “Committee”) which shall be an ad-hoc body tasked to plan, conduct research and supervise the production of a multi-media (print, video and CD-ROM) historical documentary on the Malacañang Palace.

SEC. 2. Composition of the Committee. The Committee shall be composed of Secretary Alexander P. Aguirre, Head, Presidential Management Staff as Chairman, Press Secretary Hector R.R. Villanueva, as Co-Chairman, Appointments Secretary Apolinario L. Lozada, Jr. as Vice-Chairman, and the following as members:

- a. Presidential Protocol Chief Marciano A. Paynor, Jr.;
- b. Presidential Assistant Lolita R. Haney, Internal House Affairs;
- c. Brig. General Jose M. Calimlim, Commanding General, Presidential Security Group;
- d. Executive Director Gloria P. Mara, Radio Television Malacañang;
- e. Director Teresita B. Paynor, Internal House Affairs – Palace;
- f. Director Adoracion M. Bolos, National Library;
- g. Director Ricardo L. Manapat, Records Management and Archives Office;
- h. OIC Director Emelita V. Almosara, National Historical Institute;
- i. Director Ma. Edna S. Gaffud, Malacañang Heritage Foundation;
- j. General Manager Ramy Diez, People’s Television Network;
- k. Director Alexander M. Arevalo, Office of the President; and,
- l. Director Cirio H. Santiago, Film Development Foundation of the Philippines.

The Committee shall also include two (2) representatives from the private sector to be determined by the Committee.

SEC. 3. Functions of the Committee. The Committee shall exercise the following functions and responsibilities:

- a. Formulate a work program for the production of multi-media material (print, video and computer-based) on Malacañang Palace;
- b. Conduct a comprehensive research on the significant events, milestones and people surrounding the history of Malacañang and gather/collate personal accounts/first-hand experiences of former and current Malacañang occupants, officials and staff to get insights and views of the Palace, its occupants and the events which took place in the area;
- c. Negotiate and conclude contract relative to the project, including services of consultants, as necessary;
- d. Call on any department, bureau or office of the Government, including government-owned and controlled corporations, to render such assistance as it may need in the discharge of its functions;
- e. Seek the assistance of, and coordinate with private entities, associations, foundations, cooperatives, and other non-government organizations, in mounting and meeting the requirements of the project;
- f. Submit periodic reports to the President on the status of preparations of the said historical documentary; and,
- g. Perform other functions/tasks as may be directed by the President.

SEC. 4. Secretariat. The Presidential Management Staff shall serve as the Secretariat to the Committee to service its technical and administrative requirements.

SEC. 5. Funding. The funding requirements for the project, including fund sources thereof, shall be determined by the Committee, in coordination with the Department of Budget and Management.

Section 6. Term of the Committee. The Committee shall cease to exist upon completion of the project.

Section 7. Effectivity. This Administrative Order shall take effect immediately.

DONE, in the City of Manila, this 25th day of June, in the year of Our Lord, Nineteen Hundred and Ninety Seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 343
IMPOSING THE PENALTY OF DISMISSAL FROM THE SERVICE WITH FORFEITURE OF
ALL BENEFITS UNDER THE LAW ON NATIONAL FOOD AUTHORITY (NFA) ASSISTANT
ADMINISTRATOR FOR OPERATIONS PEDRO S. HERNANDO, JR.

On January 8, 1996, Administrative Order No. 239 was issued constituting the Presidential Commission Against Graft and Corruption as an Ad Hoc Committee to investigate administrative complaints filed against certain officials and employees of the National Food Authority (NFA). One of the officials investigated was Mr. Pedro S. Hernando, Jr., formerly Directorate for Marketing Operations now NFA Assistant Administrator for Operations. There were six charges filed against respondent Hernando hereinafter quoted, as follows:

1. "As then Regional Director of the NFA Metro Manila Office, you entered into two (2) Letters of Agreement for Vessel/Barge Hire in behalf of National Food Authority, one with R.S. Cailian General Merchandise dated October 8, 1990 (for Barge Alma III) and the other undated contract with Pexcor Shipping Co., Inc. A provision common to both contracts provided that the freight payment shall be subject to percentage increase effective upon approval of the CISO (Conference in Inter-island Shipowners and Operators) rate increase.

The barges (Alma III and Pexcor) reached their destination (North Harbor) on November 8, 1990 and part of the cargo was already unloaded. However, on November 12, 1990, the CISO-approved increase in freight rate took effect and was applied to the unloaded portion of the cargo. This entailed additional unnecessary expense on the part of the Government.

For so entering into a contract grossly disadvantageous to the Government, respondent Hernando is charged with a violation of Republic Act 3019 (Anti-Graft and Corrupt Practices Act) Section 3 (g)."

2. "From January 1990 up to March 31, 1991, you caused the repurchase of used empty jute sacks of 50/100 kilo capacity amounting to ₱954,787.32. These sacks remained unused until they became outmoded/unserviceable. In 1993, they were sold thru bidding as outmoded/unserviceable at only ₱203,978.11 thus, incurring a loss to the Government of ₱750,809.21.

Because of the gross negligence characterized by this transaction, you are charged with a violation of COA Circular 85-55-A (Prevention against irregular, unnecessary, excessive and/or extravagant expenditure or uses of Government

funds and/or property), Republic Act 3019 Section 3 (e) and (g) and Republic Act 6713 Section 4 (a).”

3. “In 1991 and from November 26 up to December 14, 1993, you requested for the purchase of brand new plastic empty sacks of various sizes, including sacks of 25 kilo capacity.

The aforementioned purchase was excessive and unnecessary because the volume of sacks procured was excessive and the prices do not show any volume discount considering the quantity of sacks involved. As a result, a total of 886,920 pcs. of brand new sacks worth ₱4,553,637.00 were tied up to inventory, due to insufficient demand for said items. Not only was the NFA deprived of the use of the aforementioned funds, the purchased sacks were likewise exposed to rapid deterioration and obsolescence attributable to long storage.

COA reports losses in terms of interest income which NFA could have earned, computed at 12% p.a. amounting to ₱838,806.45.

For this unnecessary and excessive procurement, you are charged with a violation of COA Circular No. 85-55-A, Republic Act 3019 Section 3 (e) and (g) and Republic Act 6713 Section 4 (a).”

4. “Between August to October of 1995, in order to make use of the excess sacks of 25 kilo capacity referred to above, you ordered the rebagging of imported Japanese rice from 50 kilos to 25 kilos. This is not only unnecessary but entailed increased cost and expense to the Government since rebagging required additional labor and handling charges as well as the cost of the 25 kilo capacity sacks.

For this transaction, you are charged with violation of COA Circular 85-55-A, Republic Act 3019 Section 3 (e) and Republic Act 6713 Section 4 (a).”

5. “Since 1984 up to 1995, you have been approving and signing cash advance vouchers which were not supported with documents to determine the amount needed, thus resulting to overestimates of the amounts involved. You likewise certified that liquidation of cash advances have been made/or accounted for, despite the non-settlement thereof. As a result, the cash advances did not tally with the net payroll. These are violations of section 175 of the GAAM, vol. 1, COA Circular 85-55-A, Section 89 P.D. 1445 and Republic Act 3019 section 3 (e) for which you are charged.”

6. “Since Administrator Tanchanco’s time up to the present, the NFA has been tolerating the occupancy of private organizations namely: Food Hauler’s Association of the Phils. and the Federation of Grains Retailers of its NFA Metro Manila compound. The occupancy is free of charge since it is not covered by any lease agreement nor is the electric and water consumption charged to the occupant. You, as then Regional Director of the NFA are hereby charged for inaction regarding this matter, which is causing excessive loss of potential revenue for the Government in terms of rental fees and electric consumption and water charges which at present are being shouldered by the NFA.

For your negligence during your tenure as Regional Director, you are charge for violation of COA Circular 85-55-A and Republic Act 3019 Section 3 (e).”

In defense of the first charge, respondent Hernando offered the following justifications:

1. "That a letter agreement for vessel/barge hire was entered into by NFA with R.S. Cailian Gen. Merchandise, the owner of Alma II x x x, and Pexcor, owner of M/V Monte Sol x x x for the transfer of corn from General Santos City and Cagayan de Oro, respectively."
2. "That the letter agreement for shipping was entered into on instructions of Central Office to help decongest the warehouses and corn stocks in Mindanao."
3. "That during the period, there was already in effect, a fuel price increase on 21 September 1990 in which CISO member's have also filed a petition for rate increase to MARINA on 27 September 1990. It is against this background that the affiant has to contain with in the course of the negotiation with unwilling barge/vessel owners. Both prospective contractor were demanding that a provision be included in the letter agreement that allows for the imposition of the freight increase upon effectivity of a new CISO rate increase as approved by MARINA."
4. "That in view of the fuel situation and the prevailing condition of corn stocks in Mindanao, knowing fully well the instruction of Central Office to move the stocks in Mindanao, Metro Manila Office scouted for prospective carriers and in this regard entered into a letter agreement on 8 October 1990."
5. "That based on record of Metro Manila Office the carrier Alma III started loading in General Santos City (on) 22 October 1990 up to 28 October, 1990 with a load of 68,170 bags of corn, M/V Monte Sol started loading in Cagayan de Oro City on 24 October, 1990 up to 2 November 1990 with a load of 13,323 bags of corn."
6. "That Alma III arrived in Manila on 8 November 1990 and commenced unloading on the same date and finished on 2 December 1990. Monte Sol arrived in Manila on 9 November, 1990, commenced unloading on 15 November 1990 and finished on 21 November 1990."
7. "That the *proviso* in the letter agreement as agreed upon meant that if the price increase be made effective and the corn is still in the vessels, the stocks in the vessel will be subjected to the new rate. In case the vessel is currently discharging, the stocks still remaining in the vessel will be subjected to the new rate."
8. "That by the end of November 1990, a total of 7,700 bags have already been unloaded. The balance was therefore subjected to the new rate increase."
9. "That for M/V Monte Sol, the total stocks on board were subjected to the new rate because unloading started only on 15 November 1990."
10. "That the move to hire the vessels was in response to the prevailing situation to move the corn within a period where rate increase were under review by MARINA."

In a nutshell, respondent hinges his defense on the fact that prior to entering into the questioned contracts, there was a fuel price increase and that the entire shipping industry was awaiting the approval by the MARINA of a CISO petition for increase in freight rate. This allegedly constrained him to agree to the provision subjecting the cargo to an increase in freight effective upon approval of the aforesaid petition. True enough, on November 12, 1990, MARINA issued Memorandum Circular No. 17 approving the CISO petition and increasing the applicable passage and freight rates.

As found by the Committee, it is not disputed that respondent signed and executed the questioned letter-agreements with Cailian and Pexcor. It is likewise undisputed that there was a fuel price increase and a subsequent increase in freight rates. However, these scenarios are not sufficient to explain why respondent did not conduct or order the conduct of a competitive public bidding in awarding the

contracts to transport the cargo to Cailian and Pexcor, as required by Executive Order No. 301. There was no emergency or even an imminent need to transport the corn from Mindanao to Metro Manila. Neither does the situation fall under any of the exceptions from public bidding. Respondent merely stated that there was an order from the Director of Operations to move the stocks. As to why he, as then Regional Director of Metro Manila (the recipient of the cargo), was the one who secured the vessel/barge when under NFA regulations, it should be the director/officer of the region or province of origin or the place where the cargo will be loaded, in these cases General Santos City and Cagayan de Oro, who should “secure the bottoms” or contract the vessel and accordingly pay the freight, was not satisfactorily explained.

In an attempt to justify the contracts, respondent presented in evidence several wire messages from then Director Eduardo L. Galang, Directorate for Marketing Operations. Rather than help his cause, the messages, particularly the wire transmission dated August 22, 1990, expressly showed that it was the regional directors of General Santos, Cotabato and Cagayan de Oro who were ordered by Director Galang to ship to the Metro Manila Office, even on staggered basis, their stocks of corn. In fact, the regional directors were instructed to inform Director Galang of their readiness, volume, expected time of departure and the name of the vessel. The intention, therefore, of Director Galang to authorize these regional directors, not respondent Hernando who was merely furnished a copy of the message, to contract for the necessary vessels/barges, which is their standard procedure, could not have been any clearer. The fact that it was respondent who ultimately executed the contracts was undoubtedly irregular.

With respect to the issue of public bidding, respondent claimed that what was resorted to was sealed canvassing. Such justification however, is inutile with his failure to submit to the Committee the report of the alleged canvass. For, if either a public bidding or a sealed canvass was conducted, the NFA would not be constrained to agree to the manifestly onerous *proviso* subjecting the freight rate to an increase once the petition was approved.

Assuming *arguendo* that public bidding or even a sealed canvass could have been done away with, still respondent’s reasoning that he had no choice but to agree to the onerous *proviso* in the contracts because of the pendency of the CISO petition with MARINA has no leg to stand on in the light of the documentary evidence he submitted to the Committee.

A perusal of the alleged CISO petition for an increase in freight rate would reveal that neither R.S. Cailian General Merchandise, its shipping company Centerpoint Shipping Company, nor Pexcor Shipping Co. Inc. is a member of the 17 member-shipping companies of the CISO, which include Aboitiz Shipping Corp., Alberto Gothong Enterprises, Archipelago Lines, Inc., Carlos A. Gothong Lines Inc., Eusebio Shipping Lines, Inc., George & Peter Lines, Inc., Escano Lines, Inc., Lapu-Lapu Shipping Lines, Inc., Lorenzo Shipping corp., Negros Navigation Co. Inc., San Vicente Shipping Corp., Solid Shipping Corp., Sulpicio Lines, Inc., Sweet Lines, Inc., and Viva Shipping Lines, Inc. Further, no evidence was submitted by respondent that either Cailian, Centerpoint or Pexcor filed, on their own, applications for an increase in freight rate with MARINA.

Under Memorandum Circular No. 17, relied upon by respondent in justifying the questioned *proviso* and increase in freight payment, it was expressly stated that “only member-companies of the Conference in Inter-island Shipowners and Operators and any other operators who have filed applications for rate increase by paying the corresponding filing fee and issued the corresponding Order therefor are authorized to implement the following structure/system and schedule of rates x x x.” Since both barge/vessel owners are not CISO members and there being no indication that they filed applications for rate increase, it is highly questionable if the approved increase in freight rate would be applicable to them.

Moreover, proof that respondent, or the NFA for that matter, was not under any compulsion to subscribe to any increase in freight rates is the fact that years after the execution of the questioned contracts, the Regional Director of General Santos City was still able to contract the M/V Premship VI to transport cargo at the “old” rate of ₱19.00/bag, from the same place where the shipment of corn in this case originated, which is the original freight rate for Barge Alma III prior to the CISO rate increase.

From the foregoing, it is clear that respondent violated Sec. 3 (g) of RA 3019, which states that “x x x (g) Entering, on behalf of the Government, into any contract or transaction manifestly and grossly disadvantageous to the same, whether or not the public officer profited or will profit thereby.” When respondent entered into the two letter-agreements in question and agreed to the *proviso* subjecting the cargo to increases in freight rate, he caused the Government a loss of ₱60,155.33 (with respect to the contract with Pexcor) and ₱219,223.63 (with respect to the contract with Cailian). These amounts represent the difference in freight rate paid by the NFA as a result of the onerous *proviso*.

As to the second charge, it was alleged that respondent was responsible for the excessive repurchase of empty sacks in violation of COA Circular 85-55-A (Prevention against irregular, unnecessary, excessive and/or extravagant, expenditure or uses of Government funds and/or property), Sections 3 (e) and (g), Republic Act 3019 and Sec. 4 (a) of Republic Act 6713 (Code of Conduct and Ethical Standards for Government Employees).

Records show that at the time of the alleged repurchase of empty sacks from licensed NFA retailers, dubbed in the NFA as the “buy-back operation” aimed as a stop-gap measure in case suppliers of sacks fail to meet their delivery schedules, respondent was the Regional Director of Metro Manila. Respondent alleged that the order to repurchase came from then Administrator Pelayo Gabaldon thru then Directorate for Marketing Operations, Dir. Ludovico J. Jarina. Respondent submitted the memorandum and wired transmissions in support thereof.

It is apparent from the documents submitted that respondent did not have a hand in the formulation of the policy, the scheme being an operational strategy. He was merely an “implementor” thus, he claims that the failure of said strategy cannot be attributed to him. The Committee submits that it finds merit to respondent’s contention that it is virtually impossible to determine from the stock inventory the exact identities of the empty jute sacks which he caused to be repurchased. Furthermore, from the figures in the “Statement of Empty Sacks Receipt” from April to December 1990, it is evident that the empty sacks bidded out as outmoded could not have been part of what was repurchased by respondent considering that as reflected in the records, he ordered the repurchase of a total of 283,728 sacks and caused the dispersal to the different regions of 576,820 sacks. In short, he distributed more sacks than what was actually repurchased.

After his stint as Regional Director, respondent acted as Director of the Directorate for Marketing Operations (DMO), which this time involved policy determination. From the period January 1991 to January 1995, he was in charge of determining the empty sacks requirement of the NFA and was the recommending authority for the purchase of sacks. In fact, as found by the Committee in a Memorandum dated April 11, 1991, he requested from the Administrator the extension of the buy-back scheme.

The Committee was of the opinion that operational strategies of the NFA is anticipatory and fluid in nature and largely dependent on natural and physical conditions. Thus, considering the absence of concrete evidence that at the time of the request for extension, the inventory was already overstocked and since there was no evidence linking respondent to the alleged excessive repurchase to the bidding out of outmoded sacks, the Committee submits that the second charge against him lacks merit.

Anent the third charge of unnecessary and excessive procurement of brand new plastic sacks, respondent alleged that as Director of DMO, he was responsible for coming out with marketing plans

for the coming year which include the determination of the empty sack requirements of the NFA. He admitted recommending to the Administrator the purchase of the questioned empty sacks, the quantity of which was determined after assessing the latest inventory, supply and demand for rice, the projected milling and procurement targets of the NFA for the coming year as well as, after consultation with the different Regional Directors who submitted to him their projected estimates of the respective sack requirements of their regions. Plainly put, he claims that the quantity recommended for every questioned purchase was arrived at after careful study and not at random. As far as the 25-kilo capacity sacks are concerned, he alleged that they were recommended for purchase in line with then Administrator Romeo G. David's instruction for him to come up with an estimated quantity of 25-kilo capacity sacks needed for pilot testing the rice distribution strategy.

Further, respondent alleges that being only the recommending authority, the final decision and ultimate responsibility for the purchase falls on the Administrator who approved his recommendation. With respect to the actual purchase, he explained that the same was undertaken by the Committee on Bids and Awards, constituted by then Administrator David, which he was not a member of.

The Committee finds merit to respondent's justification. Documents submitted by him and NFA resident Auditor showed that the Memoranda bearing his recommendations for the purchase of brand new empty sacks were all approved by then Administrator David. With respect to the 25-kilo capacity sacks, the Memorandum of respondent to then Administrator David dated April 27, 1993 showed that the idea of purchasing the same came from the latter in the light of the Administrator's "Service Corporation" vision to make rice more movable and convenient to end-users and consumers. In short, he was merely tasked to submit an estimate of the quantity of sacks suitable to be used in pilot-testing the project.

As can be gleaned therein the questioned purchases cannot be attributed to respondent. At the time he recommended the quantity of empty sacks to be purchased, he had bases therefor and the figures cannot be regarded as unreasonable. It only appeared "excessive" when years after, remnants of the millions of sacks purchased still remained in the NFA inventory, totalling 886,920 pcs. As discussed, the success or failure of a marketing plan or strategy is dependent upon several unpredictable factors such as the onset of typhoons, success of the harvest, the prevailing price of rice or corn as passed on by farmers, whether the same is above or below the NFA price, the demand for NFA rice, to name a few. Considering that the marketing arm of the NFA, headed by him, makes projections one year in advance, it cannot be expected to make exact and accurate estimates of empty sacks to be purchased. Considering further that the commodity involved is of national interest, the NFA could not risk the occurrence of any shortage of sacks. The concomitant "excesses" if any, as long as within reasonable limits, should naturally be expected.

With respect to the fourth charge, respondent claims that it was then Administrator David who ordered the rebagging of the imported Japanese rice using the 25-kilo capacity bags. However, no evidence was presented in support of the aforesaid allegation. With regard to the alleged increase in labor cost, he explained that the rebagging did not entail additional cost to the NFA because the workers utilized were their permanent and casual employees.

A perusal of the documents submitted in support of charge no. 4 reveals that none of the documents involving rebagging operations bear the signature of respondent. There is also no evidence that then Administrator David ordered the rebagging, as what was allegedly given was only a verbal order, neither is there positive proof that respondent made the order. As far as the alleged additional labor and handling costs are concerned, respondent presented documentary evidence to prove that no additional laborers were hired to undertake rebagging.

The resident COA Auditor of the NFA however, furnished the Committee with documents showing the handling expenses incurred by the NFA from August to October of 1995 with the contention that although it is true that no additional personnel were hired, more piece rate workers were hired to perform the work left by the casual laborers who were rebagging, such as the handling of the receipt and issue of rice in the NFA warehouse. Assuming *arguendo* that there is merit to the contention of the Auditor, still inasmuch as there is absence of evidence linking respondent to the rebagging operations, it is highly unlikely that the fault for the increased cost could be attributed to him. The evidence against respondent under charge no. 4 is therefore inconclusive.

Anent the fifth charge, respondent denied before the Committee that he signed or approved any cash advance without the necessary supporting papers. He admitted, however, that considering the voluminous papers to be attached to the Cash Advance Vouchers, the Finance Section of the NFA-Metro Manila Office opted to retain the attachment in its Cashiering Unit in order to avoid loss. Also, he pointed out that as can be gleaned from the documents he submitted to the Committee as well as, from his Memorandum, all cash advances he signed and approved were duly liquidated.

Respondent submitted the list of vouchers he approved while he was the Regional Director of NFA-NCR, summarized as follows:

<u>"Nature of</u>	<u>Date</u>	<u>Amount</u>	<u>Refund</u>	<u>Date</u>
<u>Cash Adv.</u>				
Educ. Loan	5-7-90	300,000	93,192.20	7-2-90
Overtime	12-3-90	500,000	-	-
Overtime	12-5-90	500,000	-	-
Educ. Loan	10-24-90	300,000	-	-
Educ. Loan	10-18-90	400,000	-	-
O.T. Diff.	12-17-90	1,000,000	292,262.86	1-18-90
O.T. Diff.	12-18-90	1,000,000		
O.T. Diff.	8-22-90	500,000	143,406.07	10-9-90
COLA Diff.	6-4-90	2,600,000	1,100.00	7-4-90
			55,970.24	7-4-90

It is undisputed that respondent, as the approving authority, signed all the vouchers for the cash advances above enumerated. Considering that it is the accountant and the cashier who prepare and determine the amounts advanced, the question now is whether respondent should be held accountable for the excessive amounts advanced.

A perusal of the above list reveal that it takes the Finance Section of the NFA-Metro Manila an average of one to two months before the excess of the amounts advanced is liquidated and refunded. Upon inquiry by the Committee from the resident Auditor, it appear that the check representing the amount advanced is in the name of the cashier and any excess of the amount after payment to the employees likewise remain with the cashier who then liquidates and refunds the same. The Committee was also informed that after the payment of the amounts to the employees, the approving authority, in this case respondent, is no longer informed of any excess in the amount advanced. The present Auditor also pointed out that the drawing of excessive cash advances is not isolated in the case of respondent, as in fact, other directors of the NFA also approved similar cash advances. From this pattern, it appears that this practice has already been adopted by management and obviously tolerated by past auditors.

Under Sec. 175, Vol. 1 of the General Accounting and Auditing Manual (GAAM) "the cash advance shall be equal to the net amount of the payroll for a pay period." Also, Sec. 179 of the same,

states that “the accountable officer shall liquidate his cash advance within the prescribed (period) as follows: x x x (F) or salaries, wages, etc. - within 5 days after each 15th/end of the month pay period.” Hence, considering the above-stated provisions, it is evident that there were violations of existing COA rules. The basis for the cash advances were merely estimates and as such, this gives rise to excess in the amounts advanced. But what seems more potentially dangerous is the delay in the refunding of the resulting excesses. It leaves available, in the hands of the cashier, a sizable amount of money which could be utilized for purposes other than that for which they were intended.

The Committee submits that it is to respondent’s credit that the Supreme Court made the following pronouncement in the case of Magsuci vs. Sandiganbayan (240 SCRA 1995) citing the case of Arias vs. Sandiganbayan (180 SCRA 809):

“We would be setting a bad precedent if a head of office plagued by all-too common problems -- dishonest or negligent subordinates, overwork, multiple assignments or positions, or plain incompetence is suddenly swept into a conspiracy conviction simply because he did not personally examine every single detail, painstakingly trace every step from inception, and investigate the motives of every person involved in a transaction before affixing his signature as the final approving authority.

x x x

We can, in retrospect, argue that Arias should have probed records, inspected persons. It is doubtful if any auditor for a fairly sized office could personally do all these things in all vouchers presented for his signature. The Court would be asking for impossible. All heads of offices have to rely to a reasonable extent on their subordinates and on the good faith of those who prepare bids, purchase supplies, or enter into negotiations. If a department secretary entertains important visitors, the Auditor is not ordinarily expected to call the restaurant about the amount of the bill, question each guest whether he was present at the luncheon, inquire whether the correct amount of food was served, and otherwise personally look into the reimbursement voucher’s accuracy, propriety and sufficiency. There has to be some added reason why he should examine each voucher in such detail. Any executive head of even small government agencies or commissions can attest to the volume of papers that must be signed.

There are hundreds of documents, letters, memorandum, vouchers, and supporting papers that routinely pass through his hands. The number in bigger offices or departments is even more appalling. x x x”

In view of the above considerations, the Committee suggests that it is judicious to hold respondent administratively liable only for simple neglect of duty on this charge.

Undoubtedly, respondent is guilty of negligence in allowing such practice to pervade the Finance section of the NFA. Specifically when he signed and approved the vouchers without the supporting documents attached thereto, which according to him, are left in the Cashiering Unit to avoid loss. There was therefore no way for him to determine or even check whether the amount being advanced is sufficient, excessive or has basis. It is important to note of the fact that the ultimate responsibility for

this anomalous practice devolves not upon respondent himself but on the accountant and the cashier who have personal custody and control over the amounts advanced.

Finally, with respect to the sixth charge, respondent alleged in his Memorandum that Mrs. Gregoria del Rosario, President of the Federation of Greater Manila Grains/Businessmen requested former Administrator Jesus T. Tanchanco “to provide them a space within the NFA-compound to facilitate information dissemination among their members and foster closer coordination with the NFA under its interrelationship program.” This request was allegedly granted by Administrator Tanchanco with the condition that Food Hauler’s Association (formerly Gintong Butil, an association of truckers created upon the initiative of the NFA-MMO Management in 1982) and the Bakery Foundation will also be housed in the same building within the NFA compound. In 1982, when Roberto H. Goce was the Regional Director of NFA-Metro Manila, the building was allegedly reconstructed and the costs were shouldered by the Food Haulers, Grains Retailers and the Bakers Association, who each contributed ₱30,000.00 to shoulder the costs of the reconstruction. Of note is the fact that none of these transactions were documented.

On the basis of the above explanations, there is no merit to the sixth charge. The questioned occupancy of a building has been going on long before respondent’s time as Regional Director of NFA-Metro Manila and continued, for several years after he was reassigned to the Central Office, up to the present. Even the present Auditor concedes that it was former Administrator Tanchanco who initially allowed the questioned occupancy mainly for NFA’s convenience since these associations offer services regularly required in NFA’s day-to-day operations. The tolerance of this situation by the succeeding Administrators and Metro Manila Regional Directors, including respondent thus, came about as a result of this “understanding” between the NFA management and the associations and probably out of deference to the “tradition” set by Administrator Tanchanco.

In light of these circumstances, it would be inequitable to hold respondent accountable when the continued occupancy of the premises arose through the common inaction of several NFA Administrators and Regional Directors, respondent being just one of them. More importantly, there is nothing, not a single piece of document to show that this matter was brought to his attention either by the resident Auditor or any of his personnel, when he was still Regional Director of Metro Manila and that he failed or refused to act thereon. Hence, the Committee recommends that there is no basis for the sixth charge to prosper.

The Ad Hoc Committee based on the foregoing recommended to the Office of the President the dismissal of respondent Pedro S. Hernando, Assistant Administrator for Operations of the National Food Authority, from the service for violation of Sec. 3 (g), Republic Act 3019 under charge no. 1 and for simple neglect of duty under charge no. 5 of the same Act. Further, it recommended the dismissal of charges 2, 3, 4 and 6 for lack of merit.

After assessing respondent’s justification, his testimony and the evidence presented, this Office finds the findings and recommendations of the Committee to be in order. Respondent is administratively liable under the first charge for violation of RA 3019 and under the fifth charge for simple neglect of duty.

WHEREFORE, IN VIEW OF THE FOREGOING, and as recommended by the Ad Hoc Committee constituted by virtue of Administrative Order No. 239, s. of 1996, respondent **PEDRO S. HERNANDO, Jr.**, Assistant Administrator for Operations of the National Food Authority is hereby **DISMISSED** from the service with forfeiture of all benefits under the law for violation of Section 3 (g) of Republic Act 3019 and for committing acts constituting simple neglect of duty.

SO ORDERED.

DONE in the City of Manila, this 17th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 344
CREATING THE NATIONAL ORGANIZING COMMITTEE FOR THE WORLD FORUM TO
COMBAT INTERNATIONAL DRUG TRAFFICKING, MONEY LAUNDERING, TERRORISM
AND ORGANIZED CRIME

WHEREAS, a Resolution was adopted at the Fifth Annual Meeting of the Asia-Pacific Parliamentary Forum on 10 January 1997 in Vancouver, Canada encouraging heads of state and government to convene a World Forum to combat international drug trafficking, money laundering, terrorism and organized crime;

WHEREAS, the Philippines, heeding the call for a concerted global effort to combat these worldwide menaces, recently offered to host the World Forum in Manila;

WHEREAS, the Philippine Senate passed Resolution No. 795 expressing support for the Philippines' offer to host the Forum;

WHEREAS, there is a need to constitute a national committee to organize and supervise all activities related to the hosting of the Forum;

NOW THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. National Organizing Committee. There is hereby constituted a National Organizing Committee, hereinafter referred to as the "NOC" to be composed of the following:

Secretary of the Interior and Local Government	- Chairperson
Secretary of Justice	- Co-Chairperson
Secretary of Foreign Affairs	- Vice-Chairperson
Secretary of Budget and Management	- Member
Secretary of Education, Culture and Sports	- Member
Secretary of Finance	- Member
Secretary of Health	- Member
Secretary of National Defense	- Member
Secretary of Tourism	- Member
Secretary of Transportation and Communication	- Member
Press Secretary	- Member
Director-General, National Security Council	- Member
Head, Presidential Management Staff	- Member
Director-General, National Intelligence Coordinating Agency	- Member
Chairman, Commission on Higher Education	- Member
Chief of Staff, Armed Forces of the Philippines	- Member
Director-General, Philippine National Police	- Member

The Chairperson shall also invite representatives from Congress, the Judiciary, the Bangko Sentral ng Pilipinas, and the private sector to be members of the NOC.

SEC. 2. Functions of the National Organizing Committee. In pursuit of its objectives and subject to existing laws, the NOC shall have the following functions:

- a. Recommend to the President the nature and level (heads of state, ministerial, sub-ministerial, experts, etc.) of the proposed World Forum;
- b. Formulate and recommend to the President the objectives and areas of coverage, and the corresponding workplan, timetable, and estimated budget for the hosting of the Forum;
- c. Formulate and implement an advocacy program to generate international support for the Forum;
- d. Implement the workplan once approved by the President and supervise and monitor all activities in relation thereto;
- e. Call upon any department, agency, office or instrumentality of the national or local government for any assistance that may be necessary to carry out the purposes of this Administrative Order; and
- f. Negotiate and conclude agreements and contracts necessary for the attainment of the objectives of this Administrative Order, including contracts for services.

SEC. 3. Secretariat/Project Management Group. There is hereby established a Secretariat/Project Management Group to assist the NOC in the pursuit of its objectives. The Secretariat/Project Management Group shall be headed by an Executive Director to be designated by the Chairperson and shall be composed of representatives of the following departments/agencies to be detailed full-time to the Secretariat/Project Management Group:

Department of the Interior and Local Government;
Department of Justice;
Department of Foreign Affairs;
Department of National Defense;
National Security Council;
National Intelligence Coordinating Agency;
Armed Forces of the Philippines;
Philippine National Police; and
Office of the Press Secretary.

The Chairperson of the NOC may also invite private individuals and organizations as members of the Secretariat/Project Management Group.

The Secretariat/Project Management Group may constitute sub-groups as it may deem appropriate.

SEC. 4. Office. The NOC and Secretariat/Project Management Group shall hold office at the Department of the Interior and Local Government in an appropriate office to be provided by the Department.

SEC. 5. Funding. Funding for the NOC and the World Forum shall be charged to the President's Contingent Fund and other funding sources to be identified by the DBM.

SEC. 6. Reporting Mechanisms. The NOC shall submit monthly progress reports to the President.

SEC. 7. Administrative Guidelines/Order. The NOC shall adopt such administrative guidelines or orders as may be necessary to achieve the objectives of this Administrative Order.

SEC. 8. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 20th day of June, in the Year of the Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). [*Administrative Order Nos.: 301 - 407*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 345
CREATING A NATIONAL AND LOCAL ORGANIZING COMMITTEES FOR THE
ROUNDTABLE DISCUSSION ON REBUILDING COMMUNITIES AFFECTED
BY ARMED CONFLICT

WHEREAS, the Philippine government is pursuing a comprehensive peace process along the six Paths to Peace and the basic principles recommended by the National Unification Committee;

WHEREAS, the Philippine peace process, particularly the achievement of peace settlements with the rebel groups has resulted to the cessation of major armed conflicts in the country, thereby creating opportunities for community transformation and development;

WHEREAS, adequate and responsive reconstruction of the communities affected by the armed conflicts is deemed integral to the peace process;

WHEREAS, the Office of the Presidential Adviser on the Peace Process (OPAPP) and the United Nations Development Program (UNDP), as well as other agencies, have signified interest and have agreed to jointly convene a roundtable discussion among international resource persons to draw from their expertise and experiences lessons and ideas on how to effectively plan, implement and manage post-conflict reconstruction activities;

WHEREAS, the roundtable discussions are scheduled as follows: Part I on 26-27 June 1997 and Part II on 29-30 June 1997 to be held in Manila and General Santos, respectively.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers granted in me by law, do hereby order:

SECTION 1. Creation of a National Organizing Committee. A National Organizing Committee, herein referred to as the NOC, is hereby created to organize and manage the activities for the roundtable discussion, to be chaired by the Presidential Adviser on the Peace Process and representatives of the following as members:

National Economic and Development Authority
Southern Philippine Council for Peace and Development
Presidential Management Staff

SEC. 2. Functions of the NOC. The NOC shall discharge the following functions:

1. Organize, oversee and ensure the successful conduct of Part I of the roundtable discussion and documentation of its proceedings;
2. Closely coordinate with the Office of the Executive Secretary the conduct of the roundtable discussions;
3. Create appropriate task forces or committee to assist in its tasks;
4. Provide financial support for the conduct of Part II of the roundtable discussions;

5. Acquire from the Local Organizing Committee (LOC), within thirty days from the holding of Part II of the roundtable discussion, a report of their proceedings and results of said phase and integrate the same in the NOC report;
6. Call on and tap the cooperation and support of all departments and agencies of the government, including government owned and controlled corporations, in the conduct of the roundtable discussions; and
7. Submit to the President, within forty five (45) days from the holding of the roundtable discussion, a report on its proceedings and the results thereof, including recommendations for post conflict community rebuilding.

SEC. 3. Creation of a Local Organizing Committee. A Local Organizing Committee, hereinafter referred as the LOC, is hereby created specifically to organize and manage the conduct of Part II of the Roundtable Discussion to be composed of the representatives from the following government agencies:

Southern Philippines Council for Peace and Development	-	Chairman
Regional Director, NEDA Region XII	-	Co-Chairman
UN Team Peace Advisory	-	Member

SEC. 4. Functions of the LOC. The LOC shall discharge the following functions:

1. Organize, oversee and ensure the successful conduct of Part II of the roundtable discussions and the documentation of its proceedings;
2. Create necessary task forces or committees to assist in its tasks; and
3. Prepare and submit to the NOC, within thirty (30) days from the conclusion of Part II of the roundtable discussion, a report of the proceedings and result of said phase.

SEC. 5. Creation of the National and Local Secretariats. A National and Local Secretariat are hereby created to provide technical and administrative staff support to the NOC and LOC which shall be headed by the OPAPP Executive Director and NRO XII Director and based at the OPAPP and NEDA Region XII Office, respectively.

The different members of the organizing committees shall detail personnel to their respective secretariats. The Chairman of the NOC is hereby authorized to contract, on a short term project basis, additional personnel for the National Secretariat.

SEC. 6. Funds. The budget for the roundtable discussions shall be sourced from and charged against the National Unification Fund.

SEC. 7. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 20th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 346
IMPOSING THE PENALTY OF SIX MONTHS SUSPENSION FROM OFFICE ON FOREIGN
SERVICE OFFICER I JOSE P. AMPESO OF THE DEPARTMENT OF FOREIGN AFFAIRS

Before this Office is the 06 January 1997 recommendation of Secretary of Foreign Affairs Domingo L. Siazon, Jr. on the findings made by the Investigating Committee and affirmed by the Board of Foreign Service Administration regarding the administrative charges filed against Foreign Service Officer I Jose P. Ampeso.

The charges, based on the complaints filed by Foreign Service Staff Employee II Benjamin Laplana and Foreign Service Staff Officer II Amelita G. Almeda are as follows: a) grave misconduct; b) falsification of official documents; c) conduct prejudicial to the best interest of the service; and d) violation of Civil Service Law, Rules and Regulations.

On 19 May 1994, the Board of Foreign Service Administration, acting on the charges, created an Investigation Committee to hear the case. During the proceedings, the complainants and the respondent were represented by counsel.

On the basis of the hearings conducted and the evidence on record, the Investigating Committee found Ampeso guilty of all the charges.

Regarding Laplana's complaint, the Committee determined that a certification of his emoluments was submitted to the Bureau of Customs and to the Department of Finance to enable him to import a Range Rover to the country, free of duties and taxes. The Office of Personnel and Administrative Services denied having issued a certification on the emoluments. The Department of Foreign Affairs likewise had no record of the said certificate.

Although there was no direct evidence to show that the respondent falsified the documents submitted to the Bureau of Customs, the Committee considered the following circumstantial evidence to prove Ampeso's participation in and awareness of the transaction: a) taking advantage of his position and friendship with Mr. Laplana, then assigned at the Philippine Embassy in Jakarta, respondent convinced him to fax his passport and identification card, the same documents that were later used in the duty-free importation of the Range Rover; b) on two occasions respondent received money from Ampeso, the first being US \$200.00 that was given when the documents were being processed and the ₱25,000.00 received after the release of the Range Rover; c) Ampeso arranged the meeting wherein a special power of attorney concerning the said vehicle was executed between Laplana and a certain Mr. Ricafort.

Anent the complaint filed by Mrs. Almeda, the Committee established that complainant's DFA ID and a photocopy of her assignment and recall order were used for the tax free importation of a BMW vehicle in her name. Earlier, she entrusted said documents to Ampeso upon his representation that they were necessary in identifying the package which he volunteered to deliver to her family in Vancouver. Prior thereto, respondent also verified whether complainant had availed of her tax free privilege. When Mrs. Almeda confronted Ampeso, the latter admitted to having arranged the shipment of the BMW but he assured her that she will not be implicated in the importation.

The Committee's findings were affirmed by the Board of Foreign Service Administration during its 5 June 1995 deliberations and found respondent guilty of misconduct. The BFSa recommended respondent's suspension from service for seven months and 18 days.

On 14 August 1995, respondent moved for a reconsideration of the Committee's findings. On 29 January 1996, he submitted a letter to the Office of the Secretary wherein he attached a 15 January 1996 affidavit of desistance allegedly executed by complainant Laplana. The affidavit stated that his complaint was prepared under duress and intimidation and that respondent had no participation in the illegal importation.

In light of the affidavit of desistance, the Secretary of Foreign Affairs, on 07 March 1996, created a committee to review the decision of the BFSa. In view however of Laplana's death on 09 March 1996, the Committee found no legal basis for a review. The Committee reasoned that the complainant's death prevented them from validating the retraction and verifying the circumstances which caused its execution. Furthermore, reliance was placed on existing jurisprudence stating that "retraction of testimony previously given, especially if the same was made in the presence of or upon advice of counsel is looked upon with disfavor for obvious reasons. An affidavit of retraction can easily be secured from witnesses, usually thru intimidation or monetary consideration, thus recanted testimony is considered exceedingly unreliable" (Lopez v. CA G.R. No. 101507, 29 December 1994).

Respondent's one month suspension was thereafter recommended by the Department of Foreign Affairs.

It may be recalled that at the outset of the investigation, the DFA filed four charges, namely grave misconduct, falsification of official documents, conduct prejudicial to the best interest of the service and violation of existing Civil Service laws, rules and regulations. While the Investigating Committee found respondent guilty of misconduct on both the Laplana and Almeda importation, no ruling was made on the other charges.

Nonetheless, it is sufficiently clear from the evidence on record, particularly the Reports of the Investigating Committee and the BFSa Resolution, that respondent committed two counts of misconduct.

Section 22, Rule XIV of the Omnibus Rules Implementing Book V of the Revised Administrative Code, specify the imposition of suspension for one (1) month and one (1) day to six (6) months for acts constituting simple misconduct, to be determined by the presence of any mitigating or aggravating circumstances. Relative thereto, it is stated in Section 17 of the same rules that should the respondent be found guilty of two or more charges or counts, the penalty imposed should be that corresponding to the most serious charge or count and the rest may be considered as aggravating circumstances.

Thus while this Office is inclined to impose a stiffer penalty on respondent Ampeso to send an unequivocal signal to our fellow public servants, the clear provision of the aforecited rules constrains us to do otherwise.

WHEREFORE, in view of the foregoing provisions of law and the substantial evidence establishing respondent's guilt, respondent is hereby meted the penalty of suspension from office without pay for six (6) months with a strong warning that a commission of similar offense in the future will be dealt with more severely.

SO ORDERED.

Manila, Philippines, 10 Dec 97.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 347

PROVIDING FOR THE CREATION OF AN INTER-AGENCY TASK FORCE TO OVERSEE THE IMPLEMENTATION OF THE SOCIAL ENGINEERING COMMITMENTS AND OTHER RELATED PROJECTS IN THE PROVINCES OF PANGASINAN AND BENGUET IN THE COURSE OF THE CONSTRUCTION OF THE SAN ROQUE MULTI-PURPOSE DAM PROJECT

WHEREAS, the accelerated pace of development in the Northern Luzon Quadrangle Area makes imperative the implementation of major infrastructure projects that will address the peoples' needs for basic services such as power, irrigation, and flood control facilities;

WHEREAS, in response to these needs, the Government through the Department of Energy and the National Power Corporation have proposed construction of the San Roque Multi-Purpose Dam Project (SRMDP) in San Manuel and San Nicolas, Pangasinan, and Itogon, Benguet through a Build-Operate-Transfer (BOT) scheme;

WHEREAS, the SRMDP is expected to generate 345 megawatts of reliable hydropower, irrigate about 87,000 hectares of farmlands and reduce by 50% the perennial inundation of at least 16 towns in Pangasinan and Tarlac;

WHEREAS, to soften the impact on communities that will be affected by the SRMDP's construction, the Government had initiated a host of institutional, infrastructural and program-specific responses with due regard for just and adequate compensation, suitable relocation and livelihood opportunities and preservation of history, culture and traditions particularly that of the Ibaloi tribe in Benguet;

WHEREAS, in the conduct of the advocacy program for the social acceptance of the SRMDP, the participation and cooperation of a large number of government agencies and local government units were solicited to make the campaign holistic and comprehensive;

WHEREAS, with the start of the construction of the project this year, the Presidential Task Force on the SRMDP, created pursuant to Memorandum Order No. 334, series of 1996, shall cease to exist;

WHEREAS, there exists a need for a new body to oversee and ensure the successful completion of the various programs and projects committed by the line agencies and the LGUs;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. There is hereby created an Inter-Agency Task Force which shall be composed of the following:

Secretary, Department of Energy	- Chairman
Secretary, Department of Environment and Natural Resources	- Co-Chairman
Presidential Assistant for Social Development	- Co-Chairman
Secretary, Department of Public Works and Highways	- Member
Secretary, Department of Agriculture	- Member

Presidential Assistant for Budget Affairs	-	Member
Presidential Assistant for Cordillera Affairs	-	Member
Administrator, National Irrigation Administration	-	Member
Governor, Province of Pangasinan	-	Member
Governor, Province of Benguet	-	Member
Mayor, San Manuel, Pangasinan	-	Member
Mayor, San Nicolas, Pangasinan	-	Member
Mayor, Itogon, Benguet	-	Member
President, National Power Corporation	-	Member
General Manager, Philippine Tourism Authority	-	Member
Head, Agno Flood Control Project Management Office, Pangasinan	-	Member
Regional Director, Philippine National Police Region I	-	Member

The members may designate their permanent representatives to the Sub-Task-Force.

The existing Secretariat of the Presidential Task Force on the SRMDP shall continue to undertake its functions taking into consideration the expanded mandate of the newly created Task Force.

SEC. 2. The Task Force shall have the following functions:

- 2.1 coordinate and monitor the activities of the three (3) Committees created to address the concerns of the affected communities, namely, the Siltation Steering Committee, the Ambuklao-Binga Dams Claims Committee, and the Project Monitoring Committee. These committees shall henceforth report regularly to the Task Force;
- 2.2 provide administrative and institutional liaisons assistance towards the speedy implementation of various infrastructure and livelihood projects, including those in the Memorandum of Agreement signed between the National Power Corporation and the affected local government units;
- 2.3 ensure the proper coordination with relevant agencies to maintain peace and order in the project area, including safety of personnel and equipment;
- 2.4 continue to undertake and maintain a public information program that will highlight the beneficial impact of the project, as well as clarify the misconceptions and disinformation about its nature, effects, and purpose; and
- 2.5 undertake such other duties and functions as may be necessary to perform its mandate.

SEC. 3. The funding of activities necessary to carry out the mandate of this Order shall come from the appropriate budget of participating agencies. The amount of P1,000,000.00 for the operational requirements of the Secretariat shall come from the National Power Corporation.

SEC. 4. The Task Force shall cease to exist six (6) months after the completion of the SRMDP.

SEC. 5. Any provision of previous related issuances contrary to this order are hereby superseded.

SEC. 6. This Order shall take effect immediately.

DONE in the City of Manila, this 27th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 348
DIRECTING THE PUBLIC ESTATES AUTHORITY TO ADOPT MEASURES FOR THE
IMMEDIATE IMPLEMENTATION OF THE BOULEVARD 2000 FRAMEWORK PLAN TO
ALLEVIATE THE PROBLEMS OF TRAFFIC AND FLOODING IN THE AREA
DURING THE RAINY SEASON

WHEREAS, Administrative Order No. 223, series of 1995, directed the Public Estates Authority (PEA) to immediately implement plans, programs and projects in the Manila Bay reclamation area, in accordance with the Boulevard 2000 Framework Plan;

WHEREAS, with the onset of the rainy season and the roadworks being undertaken throughout the metropolis, traffic and flooding in the area are expected problems which need to be speedily and properly addressed;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the PEA to give the highest priority to the implementation of the master drainage plan and major road components of the Boulevard 2000 Framework Plan to address the problem of flooding in the area, alleviate traffic congestion along Roxas Boulevard and link the reclamation with the circumferential and radial road system of Metro-Manila.

In the implementation hereof, the PEA is authorized to undertake the following:

- (i) issue the necessary mandate to the investor - developers in Boulevard 2000 to immediately implement the master drainage plan and the major road systems in their respective areas;
- (ii) utilize existing contracts, joint venture agreements or previous agreements, where legally feasible, with the various investor - developers in Boulevard 2000 to ensure that the said priority undertakings are implemented pursuant to the Boulevard 2000 Framework Plan;
- (iii) authorize, pursuant to its charter (PD 1084 and PD 1085), ancillary reclamation works to put in place the drainage canals and outfalls and to negotiate and enter into such agreements including land-swapping, on a value for value basis, as may be necessary for the acquisition of rights-of-way (ROW) for the said major roads/drainage canals in order that these are undertaken at no cost or budgetary outlay on the part of PEA or the National Government; and
- (iv) ensure proper coordination with concerned local government units, DPWH, DENR, MMDA and other relevant agencies for smooth implementation, and with the least disturbance to the general public while construction activities are in progress.

This administrative order takes effect immediately.

DONE in the City of Manila, this 27th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 349
IMPOSING THE PENALTY OF FINE EQUIVALENT TO ONE (1) MONTH SALARY ON
ATTY. ANTONIA B. CABUCO, FORMER REGISTER OF DEEDS FOR CAVITE TO BE
DEDUCTED FROM HER RETIREMENT BENEFITS

This refers to the administrative complaint filed against Atty. Antonia B. Cabuco, former Register of Deeds for Cavite and other registry employees for Gross Negligence for the (1) cancellation of TCT No. T-35339 in the name of Felicisima Q. Espiritu and (2) issuance, in lieu thereof, of TCT No. T-315909 in the name of Vilma Diaz.

In her letter-complaint, dated 26 November 1991, Mrs. Felicisima Q. Espiritu alleged that when her husband Teofilo D. Espiritu died on June 5, 1977, complainant and her children extrajudicially settled their properties including the parcels of land covered by TCT No. T-35339 which they sold and transferred to co-heirs Rodolfo Q. Espiritu, Teofilo Q. Espiritu and Danilo Q. Espiritu. The title has neither been transferred nor mortgaged, sold, encumbered to anybody else and that the owner's duplicate of TCT No. 35339 is still in her possession. Further, complainant averred that in the early part of November 1991, her children learned that a case had been filed with the Regional Trial Court of Cavite, Branch 21, for the issuance of a Writ of Possession filed by a certain Vilma Diaz, docketed as Civil Case No. 573-91. Thereafter, they discovered that their properties were mortgaged in favor of Vilma Diaz without their knowledge and consent; that the deed of mortgage which was purportedly signed by "spouses Felicisima Espiritu and Teofilo Espiritu" on June 22, 1988 had been entered into when her husband had been dead for eleven (11) years; and, that the anomaly had been initiated by unscrupulous persons who falsified their title and replaced (kasado) it with a look alike copy to the damage and prejudice of their family.

For her defense, respondent, maintains that the issuance of TCT No. T-315909 in the name of Vilma Diaz was based on several documents which were all duly registered on both the owner's duplicate as well as the original of TCT No. T-35339 in the name of Felicisima Espiritu.

The Land Registration Authority (LRA) dismissed the complaint without prejudice pending the decision in Civil Case No. 573-91 for Declaration of Nullity of the Deed of Real Estate Mortgage, Foreclosure of Real Estate Mortgage and the Transfer Certificate of Title No. 315909.

Complainant's subsequent request for reconsideration and further investigation was denied by the Authority which considered the case closed and terminated. Complainant then appealed the case to the Department of Justice, which referred the matter to the Land Registration Authority "for appropriate action." Acting on the said referral, the LRA conducted a fact-finding investigation which found all those involved in the transaction, including respondent herein, negligent for their failure to detect the falsity of the owner's duplicate of TCT No. 35339 and recommended the filing of the appropriate charges against them.

Subsequently, in view of the reconveyance of the property to her, complainant filed a "Pag-Uurong ng Demanda" dated November 13, 1995 which was made as basis for the filing by the parties of a Joint Motion to Dismiss dated November 25, 1995. In view thereof, and considering that respondent

had already retired from the service effective January 16, 1995 the LRA recommended the dismissal of the instant case.

The Department of Justice does not agree with the recommendation of the Authority, stating that while respondent claimed that her “approval for the registration *x x x* is purely ministerial”, she likewise implied that the Register of Deeds may re-examine the documents already examined by the Deeds Examiner “if there is an apparent defect on the title.” As Register of Deeds, she should be very familiar with the judicial forms used for the certificates of title such that the apparent defects in the “owner’s certificate” presented by Vilma Diaz should not have escaped her attention. As mentioned by Investigator Enrique M. Basa in his report dated June 10, 1993, it was “very obvious on its face alone that it is not the duplicate reproduction of the original of TCT No. T-35339 based on the following:

1. The typewritten entries on the spurious (Diaz) owner’s copy show distinctive variance on several lines of the typewritten entries in the original title.
2. The title form (Jud. Form 109) is intended to be used for original copy of a title.
3. The words “OWNER’S DUPLICATE COPY” is not stamped on its face.

Further, respondent cannot put all the blame to her subordinates. As a matter of fact, it is more appropriate to say that the buck stops at her office and in line with the principle of command responsibility, she should be held accountable for the shortcomings of the personnel under her supervision.

After a careful evaluation of the records of the case, this Office concurs with the findings and recommendation of the Secretary of Justice.

WHEREFORE, premises considered and as recommended by the Secretary of Justice, Atty. Antonia B. Cabuco, former Register of Deeds for Cavite is found guilty of Simple Neglect of Duty and is hereby imposed the penalty of fine equivalent to one (1) month salary to be deducted from her retirement benefits.

Let the Office of the Land Registration Authority which is investigating the administrative case with respect to the other registry employees, be furnished a copy of this Administrative Order.

DONE in the City of Manila, this 17th day of July, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 350
DECLARING MAY 8, 1999 AS THE COMMISSION ON AUDIT (COA) CENTENNIAL
ANNIVERSARY

WHEREAS, during the American regime as conditions in the Islands moved fast toward normalcy and essential services of government were installed, the President of the United States issued an Executive Order, dated May 8, 1899, creating the Office of the Auditor of the Philippine Islands (now Commission on Audit);

WHEREAS, to ensure the successful celebration of the 100th Founding Anniversary of the Commission on Audit and to heighten the awareness on the significance of the centennial, there is a need to supplement the efforts of the National Centennial Commission (NCC) by creating a committee which shall initiate plans and programs, coordinate with multisectoral components from business, education, culture and media, and oversee the successful implementation and completion of the COA Centennial Celebration;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order as follows:

Section 1. The COA Centennial Anniversary and Celebration. The Centennial Anniversary of the Commission on Audit is hereby declared to be on May 8, 1999. As such, the COA is authorized to undertake programs and activities in preparation of the celebration of the COA Centennial Anniversary, in close coordination with the NCC and the National Historical Institute (NHI).

Sec. 2. Creation of Committee. The COA shall create a Committee to take charge of the preparations for the Centennial Celebration. This Committee shall have the following functions and responsibilities:

1. Act as principal coordinator for all activities related to the Centennial Celebration;
2. Recommend to the Chairman of the COA all programs, projects and activities that shall be conducted for the purpose;
3. Constitute sub-committees and working groups which shall undertake the implementation of programs and projects;
4. Coordinate with the NCC and NHI and other concerned government agencies, including government-owned and/or controlled corporations and their subsidiaries to ensure well-coordinated, synchronized and successful implementation of the COA Centennial Anniversary plans, programs and activities; and
5. Prepare the fund requirements and source funds for the Centennial programs and activities, as necessary.

Sec. 3. Centennial Commemorative Items. Whenever appropriate, the COA is hereby allowed to coordinate with concerned agencies, such as the Bangko Sentral ng Pilipinas, Philippine Postal

Corporation, Department of Transportation and Communication, among others, for the provision of commemorative notes, coins, stamps, centennial plates and the installation of historical markers.

Sec. 4. Monitoring of Centennial Anniversary Activities. The National Centennial Commission shall coordinate and monitor all Centennial Anniversary activities, plans and programs of the COA.

Sec. 5. Effectivity. This Administrative Order shall take effect immediately.

Done in the City of Manila, this 22nd day of July, in the year of Our Lord, nineteen hundred and ninety seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 351
CREATION OF THE PRESIDENTIAL TASK FORCE ON TRAFFIC IMPROVEMENT AND
MANAGEMENT (TRAFIMM)

WHEREAS, the traffic situation in the country, particularly in Metro Manila, has gravely and adversely affected the over-all mobility of people and goods and thus, resulting in decreased productivity, disruptions in the supply of goods and services and other traffic-related costs;

WHEREAS, traffic management and improvement involve various instrumentalities and agencies whose plans and programs need harmonization, and thus requires the establishment of a single traffic authority that will cut-across various departments and traffic-related bodies and instrumentalities to integrate and coordinate traffic implementation and mobilization of resources to address the traffic situation;

WHEREAS, the Department of Transportation and Communications is mandated, pursuant to Executive Order No. 125-A to establish and administer comprehensive and integrated programs, and prescribe rules and regulations for land transportation;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Creation of the Presidential Task Force on Traffic Improvement and Management. There is hereby created the Presidential Task Force on Traffic Improvement and Management (TRAFIMM), hereinafter referred to as the Task Force, that shall serve as the integrating, coordinating, and directing authority on traffic management nationwide.

Section 2. Composition. The Task Force shall be composed of the following:

- | | | |
|-------------|---|---|
| Chairman | - | Secretary, Department of Transportation and Communications |
| Co-Chairman | - | Representative from the private sector, to be appointed by the President |
| Members | - | Secretary, Department of Public Works and Highways |
| | - | Secretary, Department of the Interior and Local Government |
| | - | Secretary, Department of National Defense |
| | - | Chief, Philippine National Police |
| | - | Chief of Staff, Armed Forces of the Philippines |
| | - | The concerned local chief executives: |
| | | ° Chairman, MMDA for Metro Manila |
| | | ° Governors and Mayors for areas outside Metro Manila |
| | - | Three (3) Representatives from the private sector, to be appointed by the Chairman of the Task Force. |

The Chairman is hereby vested with full executive authority within the law to rationalize and facilitate the effective and efficient movement and management of people and goods along highways nationwide, particularly in Metro Manila and other urban centers.

Section 3. Support from Other Agencies. All agencies are hereby directed to provide full support to the Task Force in the implementation of its mandate and responsibilities.

Section 4. Funding. The amount of Five Million Pesos from OP-DBM Savings/Reserves is hereby approved for release for the initial funding necessary for the operations of the Task Force; additional funding requirements may be requested by the Chairman of the Task Force from the Office of the President.

Section 5. Effectivity. This Order shall take effect immediately.

DONE in the City of Manila, this 31st day of August, in the Year of our Lord, Nineteen Hundred and Ninety Seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 352
APPROVING AND DIRECTING THE IMPLEMENTATION OF THE GRATUITY AND
MONTHLY INCENTIVE ALLOWANCE PLAN (GMIAP) FOR ATHLETES

WHEREAS, the Philippine Sports Commission (PSC), by virtue of Section 7 of Republic Act 6847 is mandated to “**Provide such incentives, recognition, and awards to deserving associations, athletes, referees, coaches, trainers and other persons or entities involved in or supporting sports development as may be permissible under the rules of amateurism**”;

WHEREAS, the PSC accorded Filipino boxer Mansueto Velasco Jr. a one time reward of P750,000 and a monthly pension of P7,000 for life for his impressive and inspiring performance at the 1996 World Olympics in Atlanta, Georgia, over and above the various incentives granted by private benefactors; and,

WHEREAS, there is a need to similarly recognize the achievements and contributions of other outstanding bemedalled athletes who have participated in international sports competitions and provide incentives and supplemental income to these athletes.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. IMPLEMENTATION OF A GRATUITY AND MONTHLY INCENTIVE ALLOWANCE PLAN (GMIAP). The Gratuity and Monthly Incentive allowance Plan (GMIAP)” for athletes, hereto attached as “Annex A”, is hereby approved for implementation.

Sec 2. PROGRAM COMPONENTS. The GMIAP shall contain two (2) major program components, as follows:

(1) **One-Time Gratuity Award.** This award shall cover all living bemedalled athletes who have participated in past Olympics, Asian Games and World Championships and those who have distinguished themselves in sports events with at least a continental impact (e.g. Asian Games).

Monetary compensation shall be given to the athletes depending on the type and number of medals won. Members of the athlete’s team shall also receive an amount equivalent to half of the compensation received by the individual medalists.

The heirs of deceased Olympic or Asian Games medalists, as defined in the Family Code, shall qualify to receive the benefits.

(2) **Monthly Incentive Allowance Plan.** The allowance shall be granted to all living Olympic and Asian Games medalists forty (40) years old or over, and all living Olympic/Asian Games medalists who are incapacitated regardless of age.

Sec. 3. IMPLEMENTATION. The Philippine Sports Commission shall be the lead agency in the implementation of the GMIAP. It shall establish a Working Secretariat within the agency to process all documents relative to the claims and benefits of the athletes.

Sec. 4. FUNDING. Fund requirements for the implementation of the Plan shall be sourced from the following:

(1) For the One-Time Gratuity Award, the PSC is hereby authorized to conduct a Pledging Session with Government Financial Institutions (GFIs), Government Owned and Controlled Corporations (GOCCs) and Private Sector Organizations.

(2) For the Monthly Incentive Allowance Plan, the initial budgetary requirement in the amount of P10.5 million shall be charged against the 1997 appropriations of the Philippine Sports Commission to be augmented from the 1997 overall savings of the National Government.

Funding for the succeeding years of implementation of the Monthly Incentive allowance Plan shall be incorporated in the regular budget of the PSC.

Sec. 5. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 24th day of July, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Reference: Annex "A"

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). [*Administrative Order Nos.: 301 - 407*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 353
CREATING A TASK FORCE TO WORK ON THE COMMEMORATIVE BOOK FOR THE 1996
ASIA-PACIFIC ECONOMIC COOPERATION SUMMIT

WHEREAS, the November 1996 APEC Summit hosted in Subic by the Philippine government has demonstrated to the world the capability of Filipinos to successfully collaborate as one nation;

WHEREAS, as a legacy and inspiration to our people, there is a need to document the events that transpired during the said Summit of Asia-Pacific Economic leaders and collate these in a coffee-table book form;

WHEREAS, a concerted effort among the various concerned agencies and other entities is required to realize this objective;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby direct the following:

SECTION 1. *Creation of a Task Force for the Publication of an APEC Commemorative Book.*
A Task Force that will work on a coffeetable book documenting significant events that occurred during the Philippines' hosting of the APEC Economic Leaders' Summit last November 25, 1996 in Subic, Zambales is hereby established.

SEC. 2. *Composition of the Task Force.* The Task Force on the APEC Commemorative Book will be composed of the following:

DR. FEDERICO M. MACARANAS APEC '96 SOM Chair	- Chairperson
SEC. SALVADOR M. ENRIQUEZ, JR. Department of Budget and Management	- Member
PRESS SEC. HECTOR R. VILLANUEVA	- Member
USEC. APOLINARIO L. LOZADA, JR. Office of the President	- Member
USEC. ROSARIO G. MANALO Department of Foreign Affairs	- Member
ASEC. EDSEL CUSTODIO Department of Trade and Industry and 1996 Phil. SOM Leader	- Member
MR. ROBERTO R. ROMULO President, APEC Foundation	- Member
MR. ANTONIO SAMSON President, Advertising Foundation	- Member

SEC. 3. *Board of Advisors.* A Board of Advisors which shall ensure that the assigned task is completed in accordance with the general guidelines issued by the President, is hereby created, to be composed of the following:

DFA Secretary Domingo L. Siazon, Jr.
DTI Secretary Cesar B. Bautista
APEC 1996 NOC Executive Chairman Gen. Lisandro Abadia
SBMA Chairman Richard Gordon
APEC News Bureau Chief Rodolfo Reyes

SEC. 4. *Timeframe.* The Task Force shall complete its assigned work by November 15, 1997 in time for the President's participation in the APEC Economic Leaders Meeting to be held in Canada.

SEC. 5. *Other Related Activities.* The Task Force is authorized to carry out other related activities to successfully accomplish its task including the holding of a private sector-funded photo contest on the significant events during the APEC Summit in Subic.

SEC. 6. *Funding.* The funding requirements to carry out the mandate of the Task Force shall be sourced by the Committee through grants and donations received by the Task Force for the purpose. The Task Force shall ensure the prudent disbursement of funds and the proper accounting of the proceeds thereof. An amount of One Million Pesos is hereby ordered released from the President's Contingent Fund to support the funding requirements of the project.

SEC. 7. *Cooperation of All Government Agencies.* All government agencies and instrumentalities are enjoined to extend their full support and cooperation to the Task Force by allowing the use of their facilities and expertise to fasttrack the completion of the Task Force's activities.

SEC. 8. *Effectivity.* This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 7th day of August, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1997). [*Administrative Order Nos.: 301 - 407*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 354
DISMISSING THE ADMINISTRATIVE CASE FILED AGAINST ATTY. TURIANO U. TAMAYO,
REGISTER OF DEEDS FOR DAGUPAN CITY

This refers to Administrative Case No. 93-1 filed by the Land Registration Authority (LRA) against Atty. Turiano U. Tamayo, Register of Deeds of Dagupan City, for abuse of authority, dishonesty and grave misconduct.

On November 10, 1992, complainant Eladio Sison filed before the LRA a letter-complaint against respondent Atty. Tamayo for denying the registration/annotation of the Alias Writ of Attachment issued by the court in Civil Case No. 16930 against a certain piece of land owned by Johnny Gutierrez and covered by TCT No. 56404.

On October 22, 1992, Deputy Sheriff Romulo Jimenez presented for annotation the aforesaid writ together with the Notice of Attachment issued on the same date over TCT Nos. 56403, 56404 and 56405, all in the name of Gutierrez, and a copy of the Cancellation of Mortgage, dated October 15, 1992, issued by the Development Bank of the Philippines over TCT No. 56404. This was denied by respondent on the ground that the writ was defective in form. Respondent then advised the Deputy Sheriff to secure from the court another order with specific reference to TCT No. 56404.

On October 23, 1992, Julian Ong Cuna, General Manager of New Dagupan Metro Gas Corporation, went to respondent's office and presented his Affidavit of Adverse Claim for annotation on TCT No. 56404. Finding the document to be in order, respondent annotated the said affidavit on TCT No. 56404. Later that day, the Deputy Sheriff returned with a new court order. Consequently, respondent instructed his employees to cause the entry of the court order in the Primary Entry Book and type the necessary annotations on TCT No. 56404 (Entries Nos. 155511 and 155512).

However, when TCT No. 56404 and its supporting documents were forwarded to respondent for signature, it was discovered that the court order referred to TCT No. 55404 in the name of Geneva Coquia, a stranger, and not to TCT No. 56404. Likewise, it appears that the court order was not signed by the issuing judge nor authenticated by the Clerk of Court. By reason thereof, respondent ordered the Deputy Sheriff to return with the correct court order.

In the meantime, respondent approved the inscription of the Notice of Attachment on TCT Nos. 56403 and 56405 but wrote "denied" on Entries Nos. 155511 and 155512. Thereafter, complainant withdrew his documents.

On October 26, 1992, respondent annotated on TCT No. 56404 the Deed of Absolute Sale executed by spouses Johnny and Aida Gutierrez in favor of the New Dagupan Metro Gas Corporation as Entry No. 155544. Subsequently, TCT No. 56404 was cancelled and a new title, TCT No. 59188, was issued in the name of New Dagupan Metro Gas Corporation. However, on that same day, the order, dated October 23, 1992, which the Deputy Sheriff sought to be corrected, was amended by the court to read as TCT No. 56404. When the amended order was presented to respondent for annotation in TCT No. 56404, the same was denied.

On March 1, 1993, the LRA Administrator, based on the letter-complaint of Sison, administratively charged respondent with abuse of authority, dishonesty and grave misconduct.

After a formal investigation of the case and finding no substantial evidence to sustain the charges, the LRA Administrator, in his letter of May 23, 1994, recommended the exoneration of respondent. The Secretary of Justice agreed with the findings of the LRA administrator and likewise recommended the exoneration of the respondent.

I concur with the findings of both the LRA Administrator and the Secretary of Justice.

Under Section 69 of Presidential Decree 1529 (Land Registration Decree), an order issued by the court “shall contain a reference to the number of the certificate of title to be affected and the registered owner or owners thereof.”

The denial by the respondent to annotate the Alias Writ of Attachment was based upon an erroneous court order which referred to TCT No. 56404 as 55404 in the name of a certain Geneva Coquia, a stranger to the civil suit for the recovery of a sum of money between the complainant and Johnny Gutierrez. This erroneous referral was affirmed by the Sheriff’s Partial Return filed before the trial court wherein he sought its rectification, which subsequently resulted in the issuance of an amended order, dated October 26, 1992.

While it is true that the duty of the Register of Deeds is ministerial, the latter may properly refuse registration if the court order upon which it is based contains clerical error(s) that may prejudice an innocent third person. The ministerial character of the function of Registers of Deeds should not leave them without authority to determine the registerability of the deed or document sought to be registered. Where the law itself has provided for standards, the same must be complied with. Indiscriminate registration could only result in the erosion of public faith in the land registration system.

Furthermore, it should be mentioned that respondent did not deprive complainant of the right to elevate the matter en consulta, it appearing that the latter withdrew his documents from the Registry. As provided under Section 117 (2nd paragraph) of PD 1529:

“Where the instrument is denied registration, the Reister of Deeds shall notify the interested party in writing, setting forth the defects of the instrument or legal grounds relied upon, and advising him that if he is not agreeable to such ruling, he may, without withdrawing the document from the Registry, elevate the matter within five days from receipt of notice of the denial of registration to the Commissioner of Land Registration upon payment of a consulta fee in such amount as shall be prescribed by the Commissioner of Land Registration. x x x”.

Lastly, counsel for complainant, in his letter dated February 12, 1994, manifested that the complainant has decided to withdraw the complaint against respondent and requested that the matter be considered closed.

IN VIEW OF THE FOREGOING, Atty. Turiano Tamayo is hereby **EXONERATED** from the charges of abuse of authority, dishonesty and grave misconduct.

Done in the City of Manila, this 7th day of **August**, in the year of Our Lord, nineteen hundred and ninety-seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

ADMINISTRATIVE ORDER NO. 355

Based on the records available on file and in the possession of Malacañang Records Office, Administrative Order No. 355 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

ADMINISTRATIVE ORDER NO. 356
PROVIDING FOR THE FORMULATION OF THE NATIONAL STRATEGIC INFRASTRUCTURE
TRANSPORT PLAN AND ITS TERMS OF REFERENCE

WHEREAS, Proclamation No. 65 dated 2 October 1992 adopted the National Physical Framework Plan providing policy and program direction for land using activities, environmental management, settlements pattern and the development of other physical resources in the country, to ensure focused national development efforts as well as promote sustainable development;

WHEREAS, the above physical framework, to be responsive to the national development thrusts, requires, among others, a cohesive blueprint for infrastructure development which should include an integrated plan on transport facilities of various modalities in the country which shall serve as the National Strategic Infrastructure Transport Plan;

WHEREAS, there is a need to integrate existing and proposed transport and transport-related projects in the present Transport Plan of the country, towards evolving the National Strategic Infrastructure Transport Plan with the end-in-view of enhancing the project's complementation and thereby, ensure their consistency with the national development thrusts;

WHEREAS, the updating of the National Physical Framework Plan and its components is lodged with the National Land Use Committee pursuant to Letter of Instruction No. 1350 dated 2 August 1983;

NOW, THEREFORE: I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby issue the following order:

Section 1. *Formulation of the National Strategic Infrastructure Plan.* The National Land Use Committee, through its appropriate Technical Committee, is hereby tasked to formulate the National Strategic Infrastructure Transport Plan herein after referred to as the Infrastructure Plan, which shall integrate all existing and proposed transport and transport-related projects in the country towards enhancing their complementation and thereby, ensure their consistency with the national development thrusts.

Section 2. *Terms of Reference.* To attain the above objectives, the Infrastructure Plan shall include the following:

a. Computerized database of all major infrastructure projects which shall include existing and proposed infrastructure projects covering all modalities, such as highways, railroads, seaports and airports; and

b. Computer-based topographic maps of national and interregional transportation infrastructure projects in the country, including the guidelines and standards on the preparations of said maps and their accompanying texts;

Section 3. *Activities.* In line with the formulation of the Infrastructure Plan, the National Land Use Committee shall undertake the following activities:

a. Review the draft of the above Plan and the preliminary maps thereto towards identifying and resolving possible geographic areas of conflict vis-à-vis the requirements of protection and production land uses and settlements development;

b. Cause the updating of existing topographic maps of the transport and transport-related infrastructure projects, in close coordination with concerned government agencies and local government units;

c. Cause the wide dissemination of the above Plan, in particular making the updated maps available to the public at nominal cost; and

d. Undertake and/or cause the undertaking of other activities it may deem necessary to further enhance the Physical Framework Plan, including the submission of recommendations on the possible incorporation of other infrastructure projects in the succeeding mapping activities of the Committee (e.g., communication infrastructure, energy projects, public buildings, etc.).

Section 4. *Timetable.* To allow the Infrastructure Plan's integration in the updating of the National Physical Framework Plan, the Plan shall be completed and submitted to the President for approval not later than 31 December 1997. Thereafter, it shall serve as the strategic infrastructure plan for the transport sector of the country.

Section 5. *Technical Support.* The National Mapping and Resource Information Authority (NAMRIA), the Departments of Transportation and Communications, and of Public Works and Highways shall provide technical support to the Committee in carrying out the above activities. The Committee may call upon any government agency or instrumentality to ensure the effective and efficient implementation of the provisions of this Order.

Section 6. *Funding.* Aside from its own-generated resources, the Committee is hereby authorized to source Ten Million Pesos (P10,000,000) from the 1997 OP-DBM Reserve Fund to defray the cost of the above activities, including its publication subject to the applicable accounting and auditing rules and regulations.

Section 7. *Effectivity.* This Order shall take effect immediately.

DONE in the City of Manila, this 21st day of August, in the Year of Our Lord, Nineteen Hundred and Ninety Seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1997). [*Administrative Order Nos.: 301 - 407*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 357
PROVIDING FOR THE CREATION OF THE CIVIL AVIATION CONSULTATIVE COUNCIL

WHEREAS, the local aviation industry has vital contributions to national development efforts, particularly in providing the needed infrastructure support to spur local trade and commerce, investments and tourism, thereby generating increased incomes for and job opportunities in the economy.

WHEREAS, there is a need to further enhance private sector participation in the national efforts towards the growth and development of the local aviation industry, specifically in achieving for the country a transport and tourism hub status;

WHEREAS, there is a need for an effective coordinating mechanism between and among the government and the private sector to further enhance the complementation of their efforts for the development of the local aviation industry;

WHEREAS, the National Development Summit on 10 July 1997 has recommended the creation of a government-private sector consultative forum where such collaboration and cooperation shall be enhanced and institutionalized;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order;

Section 1. Creation of the Civil Aviation Consultative Council. There is hereby created a Civil Aviation Consultative Council under the administrative supervision of the Department of Transportation and Communications (DOTC), hereinafter referred to as the Council, which shall serve as a consultative mechanism between the government and private sector on policies and programs on civil aviation.

Section 2. Composition. The Council shall be composed of the Heads of the following agencies or their duly designated representatives, with the rank of at least Undersecretary or Deputy Head:

Department of Transportation and Communications	Chairman
National Economic and Development Authority	Vice-Chairman
Department of Interior and Local Government	Member
Department of National Defense	"
Department of Science and Technology	"
Department of Foreign Affairs	"
Department of Tourism	"
Air Transportation Office	"
Civil Aeronautics Board	"
Manila International Airport Authority	"
Mactan-Cebu International Airport Authority	"
Philippine Aerospace Development Corporation	"
Bases Conversion Development Authority	"
Clark Development Corporation	"
Subic Bay Metropolitan Authority	"
National Committee on Anti-Hijacking and Terrorism	"

The heads of the federations of civil aviation-related agencies and organizations in the private sector, namely: the Federation of Aviation Organizations; Air Safety Foundation of the Philippines; Aircraft Owners and Pilots Association of the Philippines; PAF Aviation Cadets Alumni Association; and Society of Aerospace Engineers of the Philippines; and of the major domestic commercial airlines in the country, shall also be members of the Council.

To enhance private sector participation in the Council, the Chairman may designate, from among the private sector members, the Council's Co-Chairman, subject to the approval of the President.

Section 3. Duties and Functions. The Council shall have the following duties and functions:

1. Formulate policy recommendations to serve as inputs in the review and formulation of government policies and programs on the local aviation industry;
2. Identify and recommend legislative measures necessary in the furtherance of the growth and development of the industry;
3. Provide a forum for the resolution of issues and concerns affecting the industry, including those pertaining to its competitiveness;
4. Serve as a feedback mechanism between the government and the private sector on developments related to the industry; and
5. Pursue other functions which may be deemed necessary by the President.

Section 4. Initial Activities. As its initial outputs, the Council shall review and submit to the Office of the President, through the DOTC Secretary, not later than 30 September 1997, its comments and recommendations on the existing Civil Aviation Master Plan, the Philippine Transport Strategy, and the Master Plans for New International Airports, to serve as inputs in their finalization and/or updating.

Section 5. Technical and Administrative Support. The DOTC shall serve as the Secretariat to the Council. As such, it shall provide technical and administrative support to the Council to enable it to effectively discharge its duties and functions. In line with this, the DOTC may tap the support and assistance of the concerned government agencies and instrumentalities.

Section 6. Implementing Rules and Regulations. The Council shall immediately formulate and adopt the necessary implementing rules and regulations for the effective and efficient implementation of the provisions of this Order.

Section 7. Funding. The DOTC, subject to applicable accounting and auditing regulations, shall provide the Council's and the Secretariat's budgetary outlay for the their initial year of operation. The operational budget for their succeeding years shall be sourced from the contributions of the Council members in the amount as may be agreed upon by the Council.

Section 8. Effectivity. This Order shall take effect immediately.

DONE, in the City of Manila, this 21st day of August, in the Year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 358

**DIRECTING THE REACTIVATION AND CONVENING OF THE BOARD OF OFFICERS TO
REVIEW AND MAKE FURTHER AMENDMENTS IN THE GUIDELINES AND RATING SYSTEM
FOR RANK ADJUSTMENTS AND SENIORITY FORMULATION FOR THE PHILIPPINE
NATIONAL POLICE (PNP)**

WHEREAS, pursuant to Section 85, R.A. No. 6975, the implementation of same Act shall be undertaken in three phases;

WHEREAS, the third phase of implementation is adjustment of ranks and establishment of one lineal roster for officers and another for non-officers, and a Board of Officers composed of the following: a NAPOLCOM Commissioner as Chairman and one (1) representative each from the PC, INP, Civil Service Commission, and the Department of Budget and Management was created to accomplish these tasks;

WHEREAS, the guidelines and rating system for rank adjustment and seniority list formulation need to be reviewed and further amendments made, to rectify the noted discrepancies in rank adjustments and inequities in the formulated Seniority Lineal Roster;

WHEREAS, in the interest of justice and fairness, the Board of Officers created under Section 85, Phase III of R.A. No. 6975 has to be reactivated and convened to enable it to accomplish its unfinished tasks;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby direct the immediate reactivation and convening of the Board of Officers, to review the guidelines, rating system and other criteria set to accomplish the tasks in Phase III in the implementation of R.A. No. 6975 and to undertake the necessary corrective measures thereof, which must be accomplished by 31st of December, 1997.

DONE in the City of Manila, this **1st** day of **October**, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

ADMINISTRATIVE ORDER NO. 359

Based on the records available on file and in the possession of Malacañang Records Office, Administrative Order No. 359 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 360

AMENDING ADMINISTRATIVE ORDER NO. 326, SERIES OF 1997, AUTHORIZING THE
EXECUTIVE BRANCH TO PARTICIPATE IN THE ACTIVITIES OF THE 1997 PHILIPPINE
LIVELIHOOD AND SME WORLD CONGRESS

WHEREAS, Administrative Order No. 326 authorized the participation of the entire Executive Branch in the activities of the 1997 Philippine Livelihood and SME World Congress;

WHEREAS, the holding of the said World Congress at the World Trade Center was postponed from June 10 - 11, 1997 to September 4 - 5, 1997;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby reiterate the authority given to the entire Executive Branch to participate in the 1997 Livelihood, Cooperatives and SME World Congress which will be held at the World Trade Center, Pasay City from September 4 to 5, 1997.

Done in the City of Manila, this 2nd day of September, in the year of Our Lord, nineteen hundred and ninety-seven.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RUBEN D. TORRES**

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 361

AMENDING ADMINISTRATIVE ORDER NO. 322, DATED MARCH 20, 1997, ENTITLED
“AUTHORIZING CERTAIN GOVERNMENT AGENCIES TO UNDERTAKE ACTIVITIES IN
PREPARATION FOR THEIR CENTENNIAL ANNIVERSARY CELEBRATIONS IN 1997, 1998
AND 1999,” BY CLARIFYING THE FOUNDING ANNIVERSARY OF THE OFFICE
OF THE PRESIDENT.

In order to rationalize and harmonize the sequence of centennial anniversary celebrations of certain government agencies/offices mentioned in Administrative Order No. 322, dated March 20, 1997, entitled “Authorizing Certain Government Agencies to Undertake Activities in Preparation for their Centennial Anniversary Celebrations in 1997, 1998 and 1999,” I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby declare March 22, 1897 as the Foundation Day of the Office of the President, considering that on said date Emilio Aguinaldo was elected President at the Tejeros Convention held in Cavite which was the basis of all his subsequent acts covering all branches of government.

All issuances inconsistent herewith are hereby amended, modified or revised accordingly.

Done in the City of Manila, this 22nd day of September, in the year of Our Lord, nineteen hundred and ninety seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 362
CREATION OF A COMMITTEE ON PRESIDENTIAL AWARDS

WHEREAS, it is befitting to give recognition to public servants, government retirees, distinguished citizens and organizations for their exemplary service and invaluable contribution to the achievement of the programs of the government through the conferment of Presidential Citations and Awards;

WHEREAS, appropriate procedures and criteria must be formulated for the processing of nominations for certain Presidential Awards promulgated by laws or presidential issuances;

WHEREAS, there is a need for a Committee which shall formulate the procedures and ensure that criteria are observed as well as process nominations for the conferment of these Presidential Citations and Awards;

NOW THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. Creation of a Committee On Presidential Awards. There is hereby created a Committee On Presidential Awards (hereinafter referred to as the “Committee”) which shall be tasked to process the nominations for the conferment of Presidential Citations and Awards;

SECTION 2. Composition of the Committee. The Committee shall be composed of the Executive Secretary as Chairman, Presidential Management Staff Head as Vice-Chairman, and the following as members: PA for Political Affairs, Appointments Secretary, and Chief of Presidential Protocol.

The Committee may create such sub-committees as may be necessary to assist it in the performance of its functions.

SECTION 3. Functions of the Committee. The Committee shall have the following functions and responsibilities:

- a. Formulate the procedures and ensure that the criteria for the conferment of Presidential Awards and Citations as promulgated by law and Presidential issuances, including the following, are observed:
 - 1) Order of Sikatuna;
 - 2) Order of Kalantiao;
 - 3) Presidential Citation for Outstanding Humanitarian Services;
 - 4) Rizal Pro Patria Award;
 - 5) Golden Heart Presidential Award;
 - 6) Order of Gabriela Silang;
 - 7) Philippine Legion of Honor;
 - 8) Rizal Collegiate Palm and the Mabini Teachers’ Award; and,
 - 9) Presidential Merit Award.

- b. Process the nominations from the various government agencies and private groups and individuals for the said award categories;
- c. Convene quarterly or as often as deemed necessary to consider and process nominations for the Presidential Awards;
- d. Invite representatives from other government Departments and agencies, including the DFA, DND and the DILG, when deliberating on nominations which emanate from or otherwise pertain to the functions and responsibilities of the said departments or agencies; and,
- e. Submit recommendations to the President.

SECTION 4. Secretariat. The Presidential Protocol shall provide the technical and administrative support to the Committee.

SECTION 5. Effectivity. This Administrative Order shall take effect immediately.

DONE, in the City of Manila, this 30th day of SEPTEMBER, in the year of our Lord, Nineteen Hundred and Ninety Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). [*Administrative Order Nos.: 301 - 407*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 363
PRESCRIBING GUIDELINES FOR THE PROTECTION OF AREAS NON-NEGOTIABLE FOR
CONVERSION AND MONITORING COMPLIANCE WITH SECTION 20 OF THE LOCAL
GOVERNMENT CODE

WHEREAS, Section 21, Article II of the 1987 Constitution provides that “the State shall promote comprehensive rural development and agrarian reform”;

WHEREAS, Section 1, Article XII of the Constitution provides that “the State shall promote industrialization and full employment based on sound agricultural development and agrarian reform, through industries that make full and efficient use of human and natural resources”;

WHEREAS, Section 9, Article XIII of the Constitution provides that “the State shall, by law, and for the common good, undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas”;

WHEREAS, it is necessary to rationalize the policy of government in protecting prime agricultural lands and in providing areas for industry, housing and commerce;

WHEREAS, the President is empowered to issue guidelines to Executive Agencies to further define the roles they are to undertake in pursuing the mandate of their respective agencies and in accordance with the priorities of government.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby direct the observance of the following guidelines:

SECTION 1. *Declaration of Principles and Governing Policies*

A. General Principles

1. The State shall give priority to the provision for a rational and sustainable allocation, utilization, management and development of the country’s land resources.
2. The State shall protect prime agricultural lands for food production activities, and give highest priority to the completion of the Comprehensive Agrarian Reform Program (CARP).
3. The State shall ensure food self-sufficiency and food security through efficient and sustainable use of land resources, consistent with the principles of sound agricultural development, natural resources development and agrarian reform.
4. The State shall promote the dispersal of industries nationwide to catalyze countryside development through the Regional Growth Centers (RCGs), economic zones, and growth networks/corridors.
5. The State shall promote and encourage the development of economic and socialized housing projects in order to make available adequate economic and socialized housing units for average and low-income earners in urban and rural areas.

6. The State shall institutionalize the participation of people's organizations, non-government organizations, and local communities in the formulation of a national land use plan.

B. Governing Policies

1. The following areas shall not be subject to or non-negotiable for conversion:
 - a. Protected areas designated under the National Integrated Protected Areas (NIPAS), including watershed and recharge areas of aquifers, as determined by the Department of Environment and Natural Resources (DENR), pursuant to RA 7586 (1992);
 - b. All irrigated lands, as delineated by the Department of Agriculture (DA) and/or the National Irrigation Administration (NIA) and approved by the President, where water is available to support rice and other crop production, and all irrigated lands where water is not available for rice and other crop production but are within areas programmed for irrigation facility rehabilitation by the DA and the NIA, pursuant to Presidential Administrative Order 20 (1992); and
 - c. All irrigable lands already covered by irrigation projects with firm funding commitments, as delineated by the DA and/or NIA and approved by the President.

For this purpose, the Network of Protected Areas for Agriculture (as of 1991), as determined by the DA and/or NIA shall serve as guide in determining non-negotiable areas. The Network may only be revised upon the approval of the President, upon favorable recommendation by the Cabinet Cluster on Agro-Industrial Development.

In all cases, applications for conversion involving lands protected from and non-negotiable for conversion shall not be given due course by the DAR.

2. The following areas shall be highly restricted from conversion:
 - a. Lands classified as 'Highly Restricted from Conversion' in the Network of Protected Areas for Agriculture as delineated by the DA, as follows:
 - a.1 Irrigable lands not covered by irrigation projects with firm funding commitments;
 - a.2 Agro-industrial croplands, or lands presently planted to industrial crops that support the economic viability of existing agricultural infrastructure and agro-based enterprises; and
 - a.3 Highlands, or areas located in elevations of 500 meters or above and have the potential for growing semi-temperate and usually high value crops.
 - b. Lands issued a Notice of Acquisition/Valuation under the agrarian reform program or subject of a perfected agreement between the landowner and the beneficiaries under Voluntary Land Transfer (VLT) or Direct Payment Scheme (DPS) under CARP, as determined by the DAR; and
 - c. Areas identified as environmentally critical as determined by the DENR, pursuant to PD 1586 (1978) and its implementing rules and regulations;

Lands classified as highly restricted from conversion may be converted only upon compliance with existing laws, rules and regulations. An additional requirement of the social benefit cost analysis approved by the DA shall also be required before these lands may be approved for conversion.

Applications for conversion covering areas under 2 (c) above shall be subject to the Environmental Impact Assessment (EIA) and/or Environmental Compliance Certificate (ECC) of the DENR.

3. Conversion of priority areas under Executive Order 124 (1993), as identified below, falling within the areas highly restricted from conversion may be allowed and the social benefit cost analysis for these areas may be waived; PROVIDED that the requirement of an EIC or ECC shall always be required; PROVIDED FURTHER that in no case shall conversion be allowed if these sites fall under those classified as non-negotiable areas:
 - a. specific sites in regional agri-industrial centers/regional industrial centers (RAICs/ RICS) identified by the Department of Trade and Industry (DTI) and the Department of Agriculture (DA), attached as Annex A;
 - b. tourism development areas (TDAs) identified by the Department of Tourism (DOT), attached as Annex B; and
 - c. sites identified by the local government units (LGUs) for socialized housing.
4. In all cases, farmers or prospective beneficiaries of the agrarian reform program affected by the conversion shall be paid sufficient disturbance compensation. In addition, the owners and or developers of the land shall be encouraged to provide capital which will enable the affected farmers and other legitimate stakeholders to shift to another livelihood, skills training, relocation sites, and priority in employment for them and their children. Investment arrangements which give affected farmers and other legitimate stakeholders a stake in the development of the land, such as, but not limited to, joint ventures and partnerships, shall also be encouraged.
5. No application for reclassification by LGUs shall be given due course by HLURB without the approved Comprehensive Land Use Plan approved by the HLURB for provinces, highly urbanized cities, independent component cities and the cities and municipalities of Metropolitan Manila, or the Sangguniang Panlalawigan for component cities and municipalities, after 1 January 1989. The following requirements or certifications from various agencies shall also be required:
 - a. Certification from the local HLURB specifying the total area of zoned agricultural lands in the local government concerned based on the approved Comprehensive Land Use Plan or Zoning Ordinance prior to the application for conversion;
 - b. Certification from the NIA that the area to be reclassified is not covered under Presidential A.O. 20, s. 1992;
 - c. Certification from the DAR indicating that such lands are not distributed or covered by a Notice of Valuation under CARP; and
 - d. Certification from DENR that the area applied for reclassification has been classified as alienable and disposable, and is not needed for forestry purposes in case the area applied for falls within public lands.

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6. No application for conversion shall be given due course by DAR without the following certifications from various agencies:
- a. Certification of the Viability or Non-Viability of Agricultural Land from the DA and that the land is not part of the area identified as non-negotiable for conversion or a certification as to whether the land is classified as highly restricted from conversion or not;
 - b. Certification that the land does not fall under the NIPAS area or is not classified as environmentally critical from the DENR. For applications for conversion involving environmentally critical areas, the DAR may issue an Order of Conversion, subject to the issuance of an ECC by the DENR.

The DENR, in coordination with the DAR, shall institute an Environmental Guarantee Fund to ensure environment protection and to provide government the financial capability to handle negative impacts of the conversion;

- c. Certification from the NIA stating that the area is not covered under Presidential A.O. 20, S. 1992; and
 - d. Certification from the HLURB that the land has been reclassified and that said reclassification is within or outside the maximum allowable limits set by law.
7. In all cases, the decision of the DAR Secretary shall be appealable to the Office of the President. The President may allow the conversion of areas considered non-negotiable for conversion only upon the favorable recommendation of the Cabinet Cluster on Agro-Industrial Development; PROVIDED that where lands affected are irrigated, the owner/developer shall be required to replace the areas affected by an equal area of irrigated lands, whether within or outside the area/locality being applied for conversion; and PROVIDED FURTHER that such conversion shall not adversely affect the irrigation system.

SEC. 2. Definition of Terms. As used in and for purposes of this Administrative Order, the following terms shall mean:

Agricultural Lands refer to lands devoted to agricultural activity and not classified as mineral, forest, residential, commercial or industrial land (Sec. 3 (c), RA 6657).

Aquifer Recharge Areas refer to sources of water replenishment where rainwater or seepage actually enters the aquifers. Aquifers are sources of water from the ground.

Environmentally Critical Areas refer to areas declared by law as: a) areas for natural parks, watershed reserves, wildlife preserves, and sanctuaries; b) areas set aside as aesthetic potential tourist spots; c) areas which constitute the habitat for any endangered or threatened species of indigenous Philippine wildlife (flora and fauna); d) areas of unique historic, archeologic, or scientific interests; e) areas which are traditionally occupied by cultural communities and tribes; f) areas with critical slopes; g) areas frequently visited and/or hard hit by natural calamities (geologic hazards, floods, typhoons and volcanic activities); h) areas classified as prime agricultural lands; i) recharge areas of aquifers; j) water bodies; k) mangrove areas; l) coral reefs; m) mossy and virgin forests; n) river banks; and o) swamp forests and marshlands.

Highly Restricted Areas Within Network of Protected Areas for Agricultural Development refers to the most efficient agricultural land that can be grown to a wide range of crops with minimum to moderate level of farm management requirement.

Land Use refers to the manner of utilization of land, including its allocation, development and management.

Land Use Conversion refers to the act or process of changing the current use of a piece of agricultural land into some other use.

Land Use Plan refers to a document embodying a set of policies accompanied by maps and similar illustrations which represent the community-desired pattern of population distribution and a proposal for the future allocation of land to the various land-using activities. It identifies the allocation, character and extent of the area's land resources to be used for different purposes and includes the process and the criteria employed in the determination of the land use.

Network of Protected Areas for Agriculture (NPAA) refers to land reserved for agricultural activities. The specific types of land reserved for agricultural activities covered by the NPAA are:

- a. All irrigated and potentially irrigable land;
- b. All alluvial, plain land that are highly suitable for agricultural production and/or can be devoted to food production;
- c. All sustainable land that are traditional sources of food;
- d. All crop land that support the existing economic scale of production required to sustain the economic viability of existing agricultural infrastructure and agro-based enterprises in the province or region;
- e. All productive land in the low-calamity risk areas that are suitable for the production of economic trees and other cash crops; and
- f. All agricultural land that are ecologically fragile and whose conversion will result in serious environmental problems.

National Integrated Protected Areas System is the classification and administration of all designated protected areas to maintain essential ecological processes and life-support systems, to preserve genetic diversity, to ensure sustainable use of resources found therein, and to maintain their natural conditions to the extent possible.

Premature Conversion of Agricultural Land means the undertaking of any development activities whose results will modify or alter the physical characteristics of the agricultural lands to render them sustainable for non-agricultural purposes without an approved order of conversion from the DAR.

Prime Agricultural Lands refer to lands that can be used for various or specific agricultural activities and can provide optimum and sustainable yield with a minimum of inputs and development cost as determined by the DA.

Protected Areas refer to identified portions of land and water set aside by reason of their unique physical and biological significance, managed to enhance biological diversity, and protected against destructive human exploitation.

Reclassification of Agricultural Lands refers to the act of specifying how agricultural lands shall be utilized for non-agricultural uses such as residential, industrial, commercial, as embodied in the land use plan, subject to the requirements and procedure for conversion. It also includes the reversion of non-agricultural lands to agricultural use (Joint HLURB, DAR, DA, DILG Memorandum Circular, s. 1995).

Regional Agri-Industrial Growth Centers are specific locations in each of the country's regions outside the National Capital Region (NCR) identified for development by providing it with the full range of infrastructure/utilities needed by industries to establish operations in the countryside. The RGCs are growth centers envisioned to strengthen complementary linkages between agriculture and industry; between urban centers and rural areas; and their integration into a mutually reinforcing national system of production, distribution and exchange, and into the highly competitive international market.

Regional Growth Networks/Corridors are neighboring provinces/regions which are linked together and are identified through the collaboration and cooperation of various local government units. The linking of these areas permits the comparative advantages/strengths of each area to be shared with one another, thereby ensuring the optimum utilization of resources and the development of networks/corridors and its radiation areas.

Socialized Housing refers to housing programs and projects covering houses and lots or homelots only undertaken by the government or the private sector for the underprivileged and homeless citizens which shall include sites and services development, long-term financing, liberalized terms on interest payments, and such other benefits in accordance with RA 7279.

Special Economic Zones refer to selected areas with highly developed or which have the potential to be developed into agro-industrial, industrial, tourist/recreational, commercial, banking, investment and financial centers. An ecozone may contain any or all of the following: industrial estates, export processing zones, free trade zones, and tourist/recreational centers.

Tourism Development Areas refer to specific sites for tourism development located in areas identified as priorities in the national and regional tourism master plans as well as those designated through legislative and executive issuances as tourist spots and tourist zones which can be developed into tourism estates or integrated resort, leisure and recreation complexes, and other tourism related facilities.

Watershed refers to a catchment area or drainage basin from which the waters of a stream or stream system are drawn.

Zoning refers to the delineation/division of a city/municipality into functional zones where only specific land uses are allowed. It directs and regulates the use of all lands in the community in accordance with an approved or adopted land use plan for the city/municipality. It prescribes setback provisions, minimum lot sizes, building heights and bulk.

Zoning Ordinance refers to a local legislation approving the development control/zoning plan and providing for the regulations and other conditions, on the uses of land including the limitation on the infrastructures that may be places thereon within the territorial jurisdiction of a city or municipality.

SEC. 3. Monitoring Compliance with Sec. 20 of RA 7160. The implementation of Sec. 20 of R.A. No. 7160 authorizing cities and municipalities to reclassify agricultural lands into non-agricultural uses shall observe the guidelines set by the Joint HLURB, DAR, DA and DILG Memorandum Circular, s. 1995, pursuant to M.C. 54, s. 1993 from the Office of the President.

SEC. 4. Penalties and Sanctions. The following prohibited acts, defined and penalized in related laws and administrative issuances, specifically: RA 6657 (Comprehensive Agrarian Reform Law), RA 7586 (National Integrated Protected Areas System Law), Executive Order 184 (Creation of Socialized Housing One-Stop Processing Centers), Executive Order 648 (Reorganizing the Human Settlements Regulatory Commission, now the Housing and Land Use Regulatory Board), DAR Administrative Order 12 (1994), DAR-DOJ Administrative Order 4 (1993) and 5 (1994),

DA Administrative Order 2 (1992), and DENR Administrative Order 96-37 (1996) shall apply to this Administrative Order:

1. The conversion by any landowner of his agricultural land into non-agricultural use with the intent to avoid the application of RA 6657 to his landholdings and to dispossess the tenant farmers of the land tilled by them;
2. The sale, transfer, conveyance or change of the nature of lands outside of urban centers and city limits either in whole or in part after the effectivity of RA 6657;
3. Squatting, mineral exploration, or otherwise illegally occupying any land inside protected areas;
4. Constructing or maintaining any kind of structure, fence, or enclosures and conducting any business enterprise without permit inside protected areas;
5. Failure of the developer/proponent to comply with his undertaking or socialized housing project;
6. Misrepresentation or concealment of material facts in the application for land use conversion, and any other violations of the rules and regulations which are material to the grant of the conversion;
7. Failure to implement and complete the land development of the area approved for conversion within the specified time;
8. Knowingly or wilfully converting any agricultural land without the approval of the DAR;
9. Misrepresentation or concealment of material facts for the issuance of the Certificate of Eligibility for Conversion (CEC) by the DA, or any attempt to misrepresent or conceal any material fact for the issuance of a CEC;
10. Any project or activity which has been classified as environmentally critical and/or located in an environmentally critical area established and/or operating without a valid Environmental Compliance Certificate (ECC) from the DENR;
11. Projects violating ECC conditions, environmental management plans (EMP) or rules and regulations pertaining to the environmental impact statement (EIS) system; and
12. Misrepresentations in EIS/IEE (Initial Environment Examination) or any other documents submitted by the proponent pursuant to DENR A.O. 96-37.

SEC. 5. *Transitory Provisions.* The pertinent government agencies are hereby directed to harmonize and amend their procedures and guidelines on land use and land use conversion based on the principles enunciated herein within sixty (60) days from the effectivity of this Order.

The following agencies are also mandated to perform the following functions towards the full implementation of this Order within six (6) months from the effectivity hereof:

1. The Department of Agriculture shall:
 - a. Update and revise the Network of Protected Areas for Agriculture, including the maps, taking into account the provisions of this Order;
 - b. Identify criteria for certifying that the land has ceased to be economically sound and suitable for agriculture;
 - c. Design, in consultation with DAR, DENR, NEDA, HLURB, DTI and DOT, the social benefit cost analysis which will be used in evaluating lands prior to the issuance of the CEC; and
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- d. The National Irrigation Administration of the DA shall prepare and update maps of irrigated and irrigable lands that shall be protected from and non-negotiable for conversion.
2. The Department of Environment and Natural Resources shall:
- a. Prepare and/or validate maps of the initial components of the NIPAS, including watershed and aquifer areas, in consultation with and active support from local government units; and
 - b. Identify and map environmentally critical areas subject of an EIA or ECC, in consultation with and active support from local government units.
3. The Department of Agrarian Reform shall identify lands already issued a: 1) Notice of Valuation under the Compulsory Acquisition (CA), or 2) Voluntary Offer to Sell (VOS) process, or 3) lands subject of a perfected agreement between the landowner and the beneficiaries under Voluntary Land Transfer (VLT) or Direct Payment Scheme (DPS) under CARP.
4. The Housing and Land Use Regulatory Board shall, pursuant to M.C. 54 (1993) from the Office of the President and in coordination with DA, DAR, DILG, NEDA, League of Provinces, League of Cities and League of Municipalities, in consultation with People's Organizations and NGOs, design and install a monitoring and evaluation system for the reclassification of agricultural lands into non-agricultural uses.
5. The Department of Interior and Local Government shall, in coordination with HLURB, cause the LGUs' immediate compliance with the provisions for the formulation and updating of their respective comprehensive land use plans, to be reviewed and approved by the HLURB or the Sangguniang Panlalawigan, pursuant to EO 72 (1993).

In the absence of a Presidential Approval of the delineation of irrigated and irrigable lands non-negotiable for conversion, the DA's Network of Protected Areas for Agriculture shall govern.

SEC. 6. *Repealing Clause.* All other issuances inconsistent herewith are hereby repealed or modified accordingly.

SEC. 7. *Effectivity Clause.* This Administrative Order shall take effect ten (10) days after its publication in two (2) national newspapers of general circulation.

DONE in the City of Manila, this 9th day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

References: Annexes A and B

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 364
CONSTITUTING A LEGAL TASK FORCE TO STUDY AND SUBMIT RECOMMENDATIONS ON
THE SENATE COMMITTEE REPORT CONCERNING THE PEA - AMARI CONTRACT

There is hereby constituted, a legal task force to study and submit recommendations to the President on the findings and recommendations of the Committee on Government Corporations and Public Enterprises and the Committee on Accountability of Public Officers and Investigations (Blue Ribbon) regarding the Public Estates Authority - AMARI contract, particularly on the matter of ownership and disposition of reclaimed land by the PEA.

The Task Force shall be composed of the following:

The Secretary of Justice	- Chairman
The Chief, Presidential Legal Counsel	- Member
The Solicitor General	- Member
The Government Corporate Counsel	- Member

The Task Force is authorized to seek the assistance and cooperation of other government departments/agencies in the performance of its functions. It shall submit its written report to the President, through the Executive Secretary, not later than 31 October 1997.

This Administrative Order shall take effect immediately.

DONE in the City of Manila, this **9th** day of **October**, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

By authority of the President:
(Sgd.) **RUBEN D. TORRES**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 365

**AUTHORIZING THE GRANT OF AMELIORATION ASSISTANCE TO ALL GOVERNMENT
PERSONNEL AND PROHIBITING PAYMENTS OF SIMILAR BENEFITS IN FUTURE YEARS
UNLESS AUTHORIZED BY THE PRESIDENT**

WHEREAS, a number of government agencies granted Amelioration Assistance in varying amounts to their personnel invoking as legal bases therefor, Rule X of the Omnibus Civil Service Rules, as well as fiscal autonomy and authority to fix and authorize additional compensation pursuant to the enabling Acts or other statutes of some government-owned and -controlled corporations;

WHEREAS, other government entities now request authority to grant similar benefit to their personnel;

WHEREAS, the unilateral and uncoordinated grant of Amelioration Assistance gave rise to demoralization, discontent and dissatisfaction among government personnel who have less or have not yet received such benefit;

WHEREAS, there is need to regulate the grant of such benefit to ensure uniformity and equity and to conform with the policy of standardization of compensation enunciated under RA 6758;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, PD 985 and RA 6758, do hereby order and direct:

SECTION 1. All National Government Agencies, Government-Owned and -Controlled Corporations (GOCCs) and Government Financial Institutions (GFIs), and Local Government Units are hereby authorized to grant Amelioration Assistance in the maximum amount of Seven Thousand Two Hundred Pesos (P7,200) each to their personnel, regardless of salary and appointment status, who have rendered at least four (4) months of service as of the payment of the said benefit except those serving under service contract.

Personnel who rendered less than four (4) months of service shall be entitled to an amount proportionate to the actual service rendered while part-time personnel shall be entitled to one-half (1/2) of the benefit of a full-time personnel.

SEC. 2. Heads of NGAs, LGUs including GOCCs and GFIs as well as their respective governing boards are hereby enjoined and prohibited from authorizing/granting Amelioration Assistance or any other similar benefit without prior approval and authorization via Administrative Order by the Office of the President. Henceforth, anyone found violating any of the provisions of this Order, including all officials/employees and the COA Resident Auditor of such government entity found to have taken part thereof, shall be accordingly and severely dealt with in accordance with the applicable provisions of existing administrative and penal laws.

Consequently, all administrative authorizations granting any and all forms of additional compensation paid outside of the prescribed basic salary under RA 6758 that are inconsistent with the legislated policy on the matter or are not covered by any legislative action are hereby revoked.

SEC. 3. All government entities which authorized the payment of Amelioration Assistance in 1997 in excess of the amount authorized herein are hereby directed to cause the refund of the excess within a period of three (3) months to commence after the issuance of this Order.

SEC. 4. Entities are hereby allowed to pay the benefit herein authorized out of any available savings for FY 1997. In case of deficiency, the benefit shall be partially and uniformly implemented. No additional funds for the purpose shall be released by the Department of Budget and Management.

SEC. 5. In the case of GOCCs and GFIs the necessary amount shall be charged against their respective corporate funds, and local government units from their respective local funds.

SEC. 6. Strict compliance by all concerned with the provisions of this Order is enjoined.

SEC. 7. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 10th day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 366
ESTABLISHING THE PHILIPPINE INTERNATIONAL LANTERN PARADE
AS A TOURISM CALENDAR EVENT

WHEREAS, it is imperative to sustain the gains which the Philippine tourism industry has achieved so far and strengthen the country's competitiveness in the world market;

WHEREAS, the establishment of an international lantern parade showcasing the diversity and ingenuity of both local and foreign culture and artistry, will be an effective marketing stratagem which will enhance the promotability of the Philippines as a major tourist destination;

WHEREAS, the holding of the lantern parade as a grand Christmas presentation will merit international attention and recognition and will boost the growth of the tourism industry;

WHEREAS, the attainment of this objective necessitates the active participation, cooperation and involvement of various groups from the local and international communities;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby establish an annual tourism event henceforth to be known as the "PHILIPPINE INTERNATIONAL LANTERN PARADE" which shall be international in scope and character and held every 2nd Sunday of December.

SECTION 1. *Creation of a Philippine Organizing Committee.* A Philippine Organizing Committee (POC) is hereby constituted as follows:

Department of Tourism	- Chairman and Over-all Coordinator
NCR Cabinet Officer for Regional Development	- Vice-Chairman
Department of Foreign Affairs	- Member
Department of Finance (Bureau of Customs)	- Member
Department of Justice (Bureau of Immigration and Deportation)	- Member
Department of the Interior and Local Government	- Member
Department of Trade and Industry	- Member
Department of Education, Culture and Sports	- Member
Office of the Press Secretary	- Member
Metropolitan Manila Development Authority	- Member

SEC. 2. *Functions.* The POC shall undertake all necessary plans for, and ensure implementation of, the successful holding of the 1997 Philippine International Lantern Parade. In relation thereto, the POC is authorized to engage the support and participation of the private sector whose services and/or resources are related and essential to the success of the event.

SEC. 3. *Support from Other Government Agencies.* All the aforementioned offices as well as other government departments and agencies, including government owned and controlled corporations,

whose assistance may be sought by the POC, are hereby directed to extend their full support and resources to ensure the success of this undertaking.

SEC. 4. *Funding.* The DOT is authorized to source funds to cover expenses necessary for the operations of the POC, its secretariat, working groups and advisory boards which it may hereafter establish, from its trust liability account as well as from sponsorships, donations, grants, contributions and other forms of assistance that the event may generate.

SEC. 5. *Accounting of Money Received.* The POC is authorized to open appropriate accounts and deposit its funds with a government bank which fund shall be disbursed in accordance with existing accounting rules and auditing regulations. For this purpose, the POC Chairman shall be the principal signatory and the POC Vice Chairman as the co-signatory, without prejudice to the designation by the POC of such other signatories as may be required under the circumstances.

SEC. 6. *Coordinating Agencies.* The DOT, through its duly authorized representative(s), shall coordinate the initial and effective implementation of this order.

This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 24th day of October, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). [*Administrative Order Nos.: 301 - 407*]. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

MALACAÑANG RECORDS OFFICE

ADMINISTRATIVE ORDER NO. 367

Based on the records available on file and in the possession of Malacañang Records Office, Administrative Order No. 367 of Presidential Issuances of Fidel V. Ramos was certified by their office as a reserved number and that no original copy of this issuance was forwarded and released to them.

Malacañang Records Office. (2015). *[Memorandum: certification and official count of Presidential Issuances]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 368
CREATING A NATIONAL ORGANIZING COMMITTEE TO TAKE CHARGE OF THE
CELEBRATION OF THE CENTENNIAL OF PHILIPPINE INDEPENDENCE

WHEREAS, 12 June 1998 is the Centennial of the declaration of Philippine Independence;

WHEREAS, there is a need to properly coordinate all activities related to the celebration of the Centennial of the Philippine Independence;

NOW THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, pursuant to the powers vested in me by law do hereby create a National Organizing Committee to take charge of the 12 June 1998 celebration of the centennial of Philippine Independence.

SECTION 1. Composition. The National Organizing Committee (NOC), shall be composed of the following:

Chairman, National Centennial Commission	- Chairperson
Secretary, Department of Tourism	- Co-Chairperson
Secretary, Department of Education, Culture and Sports	- Co-Chairperson
Secretary, Department of the Interior and Local Government	- Member
Secretary, Department of Foreign Affairs	- Member
Secretary, Department of Agriculture	- Member
Secretary, Department of Agrarian Reform	- Member
Secretary, Department of Budget and Management	- Member
Secretary, Department of Energy	- Member
Secretary, Department of Environment and Natural Resources	- Member
Secretary, Department of Finance	- Member
Secretary, Department of Health	- Member
Secretary, Department of Justice	- Member
Secretary, Department of Labor and Employment	- Member
Secretary, Department of National Defense	- Member
Secretary, Department of Public Works and Highways	- Member
Secretary, Department of Trade and Industry	- Member
Secretary, Department of Science and Technology	- Member
Secretary, Department of Social Welfare and Development	- Member
Secretary, Department of Transportation and Communications	- Member
Press Secretary	- Member
Director-General, National Economic and Development Authority	- Member
Head, Presidential Management Staff	- Member
Chairman, Government Service and Insurance System	- Member
Administrator, Social Security System	- Member
Chief of Staff, Armed Forces of the Philippines	- Member

Director-General, Philippine National Police	- Member
Director-General, Philippine Information Agency	- Member
Chairman, Metropolitan Manila Development Authority	- Member
President, League of Provinces	- Member
President, League of Cities	- Member
President, League of Municipalities	- Member
President, Liga ng mga Barangay	- Member
President, Cultural Center of the Philippines	- Member
Chief, Protocol Office, Office of the President	- Member
Executive Director, National Historical Institute	- Member
Chairman, National Commission for Culture and the Arts	- Member
Executive Director, National Parks Development Committee	- Member
Five (5) Private Sector Representatives who shall be appointed by the NOC Chairperson.	

SEC. 2. Staff Support. The NOC is hereby authorized to establish an Executive Committee and other sub-committees as may be necessary to assist in the implementation of various activities for the 1998 centennial celebration of the Philippine Independence. The NOC Chairperson and Co-Chairperson shall establish a composite secretariat to the NOC, to be composed of personnel seconded from their respective agencies.

SEC. 3. Institutional Support. The NOC Chairperson is hereby authorized to call upon any department, bureau, office or instrumentalities of the government, including government-owned and controlled corporations (GOCC) to extend all necessary assistance to the NOC, its Executive Committee and Sub-Committees.

SEC. 4. Budget. The NOC and the DBM and shall jointly determine the funding requirements of the NOC for 1997 and 1998 and identify possible fund sources, which may include among others, funds from the 1997 Savings of the National Government. Said funds shall be released to the NOC. All NOC members, and other government agencies, offices or institutions, GOCCs and LGUs are hereby authorized to allocate from their respective funds any amount which they may deem necessary to ensure the successful celebration of the centennial of the declaration of Philippine Independence, subject to the usual accounting and auditing rules and regulations.

SEC. 5. Submission of Reports. The NOC shall submit monthly report to the Office of the President, through the Executive Secretary, copy furnished the Head, Presidential Management Staff, beginning December 1997.

SEC. 6. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 17th day of November, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 369
IMPOSING THE PENALTY OF SUSPENSION FOR SIX (6) MONTHS WITHOUT PAY ON
ASSISTANT PROVINCIAL PROSECUTOR EULOGIO I. PRIMA OF THE PROVINCIAL
PROSECUTION OFFICE OF CAMARINES SUR

This refers to the administrative complaint of Manuel B. Casaclang, Deputy Ombudsman for the Military, against Assistant Provincial Prosecutor Eulogio I. Prima of Camarines Sur (Adm. Case No. RV-96-001-AC) for negligence of duty.

The facts of the case, as found by the Fact Finding Investigation Panel duly constituted by the Department of Justice for the purpose, are as follows:

“On November 9, 1994, the Office of the Provincial Prosecutor, Iriga City Sub Office, received, through Segundina Buena, the complete records of the case entitled “People of the Philippines versus SPO1 Melchor Prades and SPO1 Henry Orbita” from the Office of the Ombudsman with an accompanying instruction to regularly update the said office of the progress of the case after the Information is filed.

Upon the filing of the Information, the case was raffled off to the 5th Municipal Circuit Trial Court of Nabua-Bato, Camarines Sur. It was docketed as Criminal Case No. 6978. The arraignment of the accused was set on January 20, 1995. It turned out, however, that the arraignment was legally defective since during the court proceedings, the Information was not read to the accused, the accused did not personally enter his plea, and the respondent prosecutor was absent. Notwithstanding these defects, respondent prosecutor, did not exert any effort when he appeared in court on July 20, 1995 and August 17, 1995 to rectify the irregularity. Instead, he just let the trial proceed.

In the subsequent hearing on December 8 and 22, 1995, respondent prosecutor, did not appear in Court despite notice. He did not even make a formal motion for the postponement of the scheduled hearings. This was again repeated on February 9, 1996. In view of his series of failures to appear in court, the case of arbitrary detention initiated by the Office of the Ombudsman against the police officers was dismissed. Furthermore, respondent prosecutor, without any justifiable reason, failed to submit to the Office of the Ombudsman the requested progress report during the pendency of the case.

In defense, respondent prosecutor claims he is not the designated prosecutor to handle criminal cases filed before the MCTC Nabua-Bato; that whoever is approached in his office by the private complainant will be the trial prosecutor for such particular case; that he was never approached by the private complainant in the arbitrary detention case to handle the same; that his office is not in possession

of any record pertaining to Criminal Case No. 6978; that he happens to be involved in the said case when the private prosecutor at one instance was absent during the trial; that on the scheduled hearing on February 9, 1996, he had to appear in another Court; and, in an attempt to justify his failure to appear in court for several times, he professes that it is a fundamental rule in our jurisdiction that a complaint for arbitrary detention can always be prosecuted by a private prosecutor since the offended party is a private individual.”

Upon evaluation of the evidence and arguments adduced by both complainant and respondent, the Secretary of Justice found the defense of the latter frivolous.

A public prosecutor who enters his appearance in court is deemed to try the case up to its termination or until there is a formal withdrawal in such capacity and which withdrawal is approved by the court. Thus, for all legal intents and purposes, he is the trial prosecutor for the said case. In such capacity, he has the supervision and control over the prosecution of the case. It is, therefore, incumbent upon the respondent prosecutor to take an active role in the case. He cannot entirely relegate the matter to the private prosecutor, be it a case of a private or public offense. The physical presence of the public prosecutor in a criminal proceedings is an indispensable requisite. On this point, respondent prosecutor failed to discharge his duty accordingly.

The respondent in his attempt to be absolved from the responsibility, denies possession of the records transmitted by the Office of the Ombudsman. His denial is, however, explicitly contradicted by the fact of receipt of such record by Segundina Buena, Clerk Stenographer of the Office of the Provincial Prosecutor, Iriga City Sub-Station. Such gratuitous denial on the part of the respondent prosecutor amounts to an indirect admission of the loss of record of the case while it was in his custody. Had he exercised due diligence, the loss of the record would not have happened. His gross negligence in handling the records of the case also constitutes conduct prejudicial to the best interest of the service.

Furthermore, respondent’s claim that his intervention in the subject case is necessary only when requested by the complainant, the offended party being a private individual, is untenable. Such contention runs counter with Sec. 4, Rule 110, of the Revised Rules of Court which reads:

SEC. 4. Who must prosecute criminal actions. - All criminal actions either commenced by complaint or by information shall be prosecuted under the direction and control of the fiscal.

This is because, except for private crimes, criminal cases are public offenses committed against the state. Ignorance by the respondent prosecutor of this basic concept should not be sanctioned.

In view of the foregoing considerations, I concur with the Secretary of Justice that respondent prosecutor is clearly guilty of negligence of duty and conduct prejudicial to the best interest of the service.

WHEREFORE, premises considered, Assistant Provincial Prosecutor Eulogio I. Prima of the Provincial Prosecution office, Camarines Sur, is hereby imposed the penalty of six (6) months suspension from office without pay.

SO ORDERED.

Manila, Philippines, DEC 08 1997

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 370
CREATING THE INTER-AGENCY COORDINATING COMMITTEE ON HUMAN RIGHTS

WHEREAS, the Philippines is deeply committed to the promotion of, respect for and protection of human rights and fundamental freedoms pursuant to the Constitution and to the international human rights instruments to which it is a party;

WHEREAS, as a founding member of the United Nations, the Philippines upholds the principles and purposes of that noble organization under its charter, among which is the promotion and encouragement of respect for human rights and fundamental freedoms without distinction as to race, sex, language, religion or political beliefs;

WHEREAS, the Philippines subscribes to the UN Declaration of Human Rights, which was adopted by the UN General Assembly in 1948, and is a party to the international covenants guaranteeing to everyone the enjoyment of those rights and freedoms;

WHEREAS, the Philippines is a State Party to twenty (20) international human rights instruments, among which are: (a) the International Covenant on Civil and Political Rights; (b) the International Covenant on Economic, Social and Cultural Rights; (c) the Convention on the Elimination of All Forms of Racial Discrimination; (d) the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; (e) the Convention on the Elimination of All Forms of Discrimination Against Women; (f) the Convention on the Rights of the Child; (g) the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families; and (h) the Convention for the Suppression of the Traffic in Persons and of the Exploitation of Prostitution of Others;

WHEREAS, in becoming a State Party to these international human rights conventions, the Philippines undertook to harmonize and reflect in its laws, policies and practices the provisions of such conventions;

WHEREAS, being such a State Party, the Philippines is obliged to submit periodic reports to the various bodies or committees charged with monitoring the compliance by states parties with the provisions of those instruments;

WHEREAS, there is a need to institutionalize an inter-agency coordinating committee whose task is to ensure the Philippines' compliance with its obligations to respect and promote human rights and to prepare up-to-date, coherent and comprehensive reports to the international human rights treaty-monitoring bodies;

WHEREAS, while the Philippines has managed to continuously improve its human rights record, it is imperative to present at all times a comprehensive, coherent, well coordinated and quick response to specific allegations of human rights violations emanating from UN human rights bodies and Philippine and international NGOs in order to maintain this positive image;

WHEREAS, under the category of relations between the people and the government in the field of human rights, the latter may generally be classified into the Executive, the Legislative, the Judiciary and

the Commission on Human Rights; and among these four entities, it is the Executive that most requires continuing coordination and teamwork among its components to ensure (a) common standards of implementation, (b) interaction with the other government entities, NGOs and other sectors; and (c) timely reporting to international bodies;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. An inter-agency Coordinating Committee on Human Rights (CCHR) is hereby created, the members of which shall come from the following government offices as may be designated by their respective heads:

- | | |
|--|------------|
| 1. Department of Foreign Affairs | - Chairman |
| 2. Department of Justice | - Member |
| 3. Department of Interior and Local Government | - Member |
| 4. Department of National Defense | - Member |
| 5. Department of Labor and Employment | - Member |
| 6. Department of Social Welfare and Development | - Member |
| 7. Department of Environment and Natural Resources | - Member |
| 8. Department of Agrarian Reform | - Member |
| 9. Department of Education, Culture and Sports | - Member |
| 10. Commission on Higher Education | - Member |
| 11. Department of Health | - Member |
| 12. National Commission on the Role of Filipino Women | - Member |
| 13. National Commission for Indigenous Peoples | - Member |
| 14. Presidential Commission for the Urban Poor | - Member |
| 15. Housing and Urban Development Coordinating Council | - Member |
| 16. National Housing Authority | - Member |

The Committee shall closely coordinate with the Commission on Human Rights and shall call upon the attached bureaus and agencies of the Committee members, and any other government offices, agencies and bureaus as it may deem necessary in the fulfillment of its functions.

SEC. 2. The CCHR shall have the following functions:

- (a) respond to urgent requests for information from UN human rights bodies, domestic and international non-government organizations and private individuals concerning human rights violations allegedly perpetrated upon individuals or groups in the country; and
- (b) prepare the Philippine periodic reports which are submitted to UN human rights bodies in accordance with international human rights covenants and, after consultations with non-government organizations, sectoral groups and other private sector institutions, to submit these reports in time for the treaty-required due dates,

SEC. 3. To accomplish these functions, the Committee shall be divided into two working groups, which shall be constituted as follows:

(a) Working Group on Civil and Political Rights

Department of Foreign Affairs	-	Chairman
Department of Justice	-	Member
Department of Interior & Local Government	-	Member
Department of National Defense	-	Member

(b) Working Group on Economic, Social and Cultural Rights

Department of Foreign Affairs	-	Chairman
Department of Labor and Employment	-	Member
Department of Social Welfare and Development	-	Member
Department of Environment and Natural Resources	-	Member
Department of Agrarian Reform	-	Member
Department of Education, Culture and Sports	-	Member
Commission on Higher Education	-	Member
Department of Health	-	Member
National Commission on the Role of Filipino Women	-	Member
National Commission for Indigenous Peoples	-	Member
Presidential Commission for the Urban Poor	-	Member
Housing and Urban Development Coordinating Council	-	Member
National Housing Authority	-	Member

The Working Groups may call on other concerned departments and agencies as may be necessary in the performance of its functions.

SEC. 4. The Committee and the Working Groups shall formulate the Implementing Guidelines necessary to carry out its mandate and functions.

SEC. 5. An initial amount of Two Million Pesos (₱2,000,000) is hereby authorized to be set aside and made available from the lump-sum Organizational Adjustment Fund for 1998 for the operating expenses of the Committee during the first fiscal year of its establishment. Appropriations for the succeeding years shall be incorporated in the budget proposal of the participating agencies. Administrative expenses of the Committee shall be incorporated in the DFA appropriations subject to the usual budget process.

SEC. 6. All concerned government agencies, whether Committee members or not, are hereby enjoined to extend full support and cooperation and to make available such materials, data and other resources as may be necessary to ensure the successful implementation of this Order.

In view of the sensitive issues involving human rights that it covers, the Social Reform Council (SRC) is directed to coordinate with the Committee, and the Committee, in turn, is directed to collaborate with the SRC, on matters of mutual concern to facilitate the formulation of a comprehensive, consistent and well-coordinated Philippine position on human right issues.

SEC. 7. This Order shall take effect immediately. Any previous Presidential issuance which is inconsistent with this Order is hereby revoked or amended accordingly.

DONE in the City of Manila, this 10th day of December, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 371
RECONSTITUTING THE MEMBERSHIP OF THE RIZAL DAY NATIONAL COMMITTEE
IN CONNECTION WITH THE OBSERVANCE OF THE 101ST ANNIVERSARY OF THE
MARTYRDOM OF DR. JOSE P. RIZAL ON 30 DECEMBER 1997

I, **FIDEL V. RAMOS**, President of the Philippines, by virtue of the powers vested in me by law, do hereby reconstitute the membership of the Rizal Day National Committee in connection with the observance of the 101st death anniversary of Dr. Jose P. Rizal on 30 December 1997, as follows:

The Secretary, Department of Education, Culture and Sports	- Chairman
The Chairman of the National Centennial Commission	- Co-Chairman
The Supreme Commander of the Knights of Rizal	- Co-Chairman
The Secretary, Department of the Interior and Local Government	- Member
The Secretary, Department of Public Works and Highways	- Member
The Secretary, Department of National Defense	- Member
The Secretary, Department of Tourism	- Member
The Secretary, Department of Budget and Management	- Member
The Press Secretary	- Member
The Chief of Presidential Protocol	- Member
The Head of the Presidential Management Staff	- Member
The Chairman of the National Historical Institute	- Member
The Chairman of the National Commission for Culture and the Arts	- Member
The Chairman of the Metropolitan Manila Development Authority	- Member
The Executive Director of the National Parks Development Committee	- Member
The City Mayor of Manila	- Member
The President of the Kababaihang Rizalista	- Member

To fittingly commemorate and properly disseminate nationwide the 101st anniversary of the death of Dr. Jose Rizal, I hereby authorize the Department of Budget and Management to release the amount of ONE MILLION PESOS (**₱1,000,000.00**) from the President's Contingent Fund to defray expenses for the 1997 commemoration activities for the martyrdom of Dr. Rizal.

This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 11th day of Dec, in the year of Our Lord, Nineteen Hundred and Ninety-Seven.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 372
ADOPTION OF ECONOMY MEASURES IN GOVERNMENT FOR FY 1998

WHEREAS, the current economic difficulties brought about by the peso depreciation requires continued prudence in government fiscal management to maintain economic stability and sustain the country's growth momentum;

WHEREAS, it is imperative that all government agencies adopt cash management measures to match expenditures with available resources;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and direct:

SECTION 1. All government departments and agencies, including state universities and colleges, government-owned and controlled corporations and local governments units will identify and implement measures in FY 1998 that will reduce total expenditures for the year by at least 25% of authorized regular appropriations for non-personal services items, along the following suggested areas:

1. Continued implementation of the streamlining policy on organization and staffing by deferring action on the following:
 - a. Operationalization of new agencies;
 - b. Expansion of organizational units and/or creation of positions;
 - c. Filling of positions; and
 - d. Hiring of additional/new consultants, contractual and casual personnel, regardless of funding source.
2. Suspension of the following activities:
 - a. Implementation of new capital/infrastructure projects, except those which have already been contracted out;
 - b. Acquisition of new equipment and motor vehicles;
 - c. All foreign travels of government personnel, except those associated with scholarships and trainings funded by grants;
 - d. Attendance in conferences abroad where the cost is charged to the government except those clearly essential to Philippine commitments in the international field as may be determined by the Cabinet;
 - e. Conduct of trainings / workshops / seminars, except those conducted by government training institutions and agencies in the performance of their regular functions and those that are funded by grants;
 - f. Conduct of cultural and social celebrations and sports activities, except those associated with the Philippine Centennial celebration and those involving regular competitions / events;

-
- g. Grant of honoraria, except in cases where it constitutes the only source of compensation from government received by the person concerned;
 - h. Publications, media advertisements and related items, except those required by law or those already being undertaken on a regular basis;
 - i. Grant of new / additional benefits to employees, except those expressly and specifically authorized by law; and
 - j. Donations, contributions, grants and gifts, except those given by institutions to victims of calamities.
- 3. Suspension of all tax expenditure subsidies to all GOCCs and LGUs
 - 4. Reduction in the volume of consumption of fuel, water, office supplies, electricity and other utilities
 - 5. Deferment of projects that are encountering significant implementation problems
 - 6. Suspension of all realignment of funds and the use of savings and reserves

SECTION 2. Agencies are given the flexibility to identify the specific sources of cost-savings, provided the 25% minimum savings under Section 1 is complied with.

SECTION 3. A report on the estimated savings generated from these measures shall be submitted to the Office of the President, through the Department of Budget and Management, on a quarterly basis using the attached format.

SECTION 4. Pending the assessment and evaluation by the Development Budget Coordinating Committee of the emerging fiscal situation, the amount equivalent to 10% of the internal revenue allotment to local government units shall be withheld.

SECTION 5. The Development Budget Coordination Committee shall conduct a monthly review of the fiscal position of the National Government and if necessary, shall recommend to the President the imposition of additional reserves or the lifting of previously imposed reserves.

SECTION 6. This Administrative Order shall take effect January 1, 1998 and shall remain valid for the entire year unless otherwise lifted.

DONE in the City of Manila, this 27th day of December, in the year of our Lord, nineteen hundred and ninety-seven.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RUBEN D. TORRES

Executive Secretary

Reference: Report on Savings Generated For the Quarter Ending

Source: Malacañang Records Office

Office of the President of the Philippines. (1997). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 373

**CREATING A PHILIPPINE HOST COMMITTEE FOR THE 1998 ASEAN TOURISM FORUM,
PACIFIC AREA TOURISM ASSOCIATION CONFERENCE AND WORLD CONGRESS, AND THE
INTERNATIONAL HOTEL AND RESTAURANT ASSOCIATION CONGRESS**

WHEREAS, the Philippine Government, in line with its current thrust of Pole vaulting to the 21st Century aims to establish the country as “Asia’s Next Shopping and Tourism Capital”;

WHEREAS, the Philippines, as member of the ASEAN Tourism Forum (ATF), the Pacific Area Tourism Association (PATA) and the International Hotel and Restaurant Association (IHRA), has committed to host the annual gathering of these organizations in 1998 to highlight the global competitiveness of our country in the area of tourism and provide worldwide publicity for the Centennial Celebration of the Philippine Independence in 1998;

WHEREAS, the hosting by the Philippines of these prestigious international events will contribute positively to the country’s projection as a competitive tourist destination for leisure/holidays, shopping, business, meetings/conventions, heritage tours, ecotourism/adventure, special interest tours, and exhibitions and will ultimately redound to more substantial economic benefits; and,

WHEREAS, there is need to constitute an Inter-Agency Committee that will ensure the successful conduct of these events on 08-15 January 1998 (ATF); 25-28 March 1998 (PATA Conference); 28 March 1998 to 02 April 1998 (PATA Chapters World Congress) and 22-26 October 1998 (IHRA Congress).

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Creation of the Philippine Host Committee for the 1998 ATF, PATA Conference and World Congress and the IHRA Congress. There is hereby created a Philippine Host Committee, hereinafter referred to as the Committee, to plan, prepare for, oversee and supervise the conduct of the 1998 ASEAN Tourism Forum (ATF) in January 1998; the Pacific Area Tourism Association Conference and Chapters World Congress (PATA) in March 1998, and the Annual International Hotel and Restaurant Association Congress in October 1998.

SEC. 2. Composition of the Committee. The Committee shall be composed of the Secretary of Tourism, as Chairperson, the Secretary of Foreign Affairs, as Co-Chairperson and Private Sector Tourism Industry Representative (to be designated by the DOT Secretary) as Vice-Chairperson, and the senior representatives of the following agencies, as members:

- a. Department of the Interior and Local Government
- b. Department of National Defense
- c. Department of Budget and Management
- d. Department of Transportation and Communication
- e. Department of Public Works and Highways

- f. Department of Trade and Industry
- g. Department of Agriculture
- h. Department of Health
- i. Department of Education, Culture and Sports
- j. Department of Social Welfare and Development
- k. Department of Energy
- l. Office of the Press Secretary
- m. Bureau of Immigration and Deportation
- n. Manila International Airport Authority
- o. Mactan Cebu International Airport Authority,
- p. Bureau of Customs

The Committee Chairperson shall designate two (2) other private sector representatives from the tourism industry as members of the Committee.

SEC. 3. Functions of the Committee. The Committee shall exercise the following functions and responsibilities:

- a. Coordinate with the private sector and various government agencies to ensure that all the requirements for the events are attended to and implemented;
- b. Ensure that the economic advantages of the events are maximized through a concerted and cost-effective country team approach;
- c. Negotiate and conclude contracts relative to the events, including services of consultants whose term of office is co-terminus with the project;
- d. Call upon the assistance of any department, bureau or office of the Government, including government-owned and controlled corporations to render such assistance as the Committee may need in the discharge of its functions;
- e. Submit periodic reports to the President on the status of preparations for the three (3) international events and post-activity reports after the conduct of said conferences;
- f. Perform such other functions/tasks as may be directed by the President.

SEC. 4. Secretariat. A composite secretariat to be composed of members from the Department of Tourism and the Philippine Convention and Visitors Corporation shall provide administrative and technical support to the committee.

SEC. 5. Funding. Funding for the four (4) international conferences shall be sourced mainly from the Trust Liability Account of the Department of Tourism and from unreleased appropriation for the hosting of international conferences from the 1997 International Commitment Fund, as shall be determined by the Department of Budget and Management. The funds shall be released to the Department of Tourism, as Chair of the Committee, subject to regular accounting and auditing procedures.

The Committee is hereby given authority to solicit donations, grants, contributions, sponsorships and/or any form of assistance from private and government entities.

SEC. 6. Term of the Committee. The Committee shall cease to exist upon termination of the projects in 1998.

SEC. 7. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 6th day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RUBEN D. TORRES
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 374
CONSTITUTING A NATIONAL COMMITTEE FOR THE COMMEMORATION OF THE
TWELFTH ANNIVERSARY OF THE FEBRUARY 22-25, 1986 EDSA REVOLUTION

WHEREAS, the February 22-25 EDSA Revolution restored democratic institutions and ushered meaningful political, social and economic reforms in the country;

WHEREAS, the triumph of this Revolution was anchored upon People Power, the spontaneous teamwork in seeking to transform Philippine society and chart a new course for the nation by linking arms and courageously asserting our democratic rights;

WHEREAS, the Filipinos astounded the world with feats of valor at EDSA, showing other captive people the way towards a democratic revolution of our time, thereby winning the respect and admiration of the world; and

WHEREAS, this year marks the celebration of the centennial of the Philippine Revolution, the revolution that served as our inspiration and root of that same spirit that brought the EDSA Revolution into triumph;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law do hereby order:

SECTION 1. *Constitution of a National Committee.* There is hereby constituted a National Committee for the Commemoration of the 12th Anniversary of the February 22-25, 1986 EDSA Revolution which shall be Chaired by a private sector representative and Co-Chaired by the Secretary of the Department of National Defense, the Secretary of the Department of the Interior and Local Government, and the Administrator, Livelihood Corporation. The Secretary of the Department of Tourism is hereby designated as Vice-Chairperson, with three Co-Vice-Chairpersons from the private sector. The National Committee shall have twenty (20) members from the private sector and the following from the government sector:

1. Secretary, Department of Agrarian Reform
2. Secretary, Department of Trade and Industry
3. Secretary, Department of Foreign Affairs
4. Secretary, Department of Budget and Management
5. Secretary, Department of Finance
6. Secretary, Department of Labor and Employment
7. Secretary, Department of Education, Culture and Sports
8. Chairman, Metropolitan Manila Development Authority
9. Chairman, Commission on Higher Education
10. Cabinet Officer for Regional Development - National Capital Region
11. Chairperson, National Youth Commission
12. Acting Head, Presidential Management Staff

13. Chairman, Bases Conversion and Development Authority
14. Chairman, Development Bank of the Philippines
15. Chairperson, National Commission on the Role of Filipino Women
16. Executive Director, National Centennial Commission
17. National Program Director, Moral Recovery Program
18. Director-General, Philippine Information Agency
19. Administrator, Philippine Overseas Employment Administration
20. Administrator, Overseas Workers Welfare Administration
21. Director-General, Technical Education and Skills Development Authority
22. Director, National Historical Institute
23. President, League of Provinces of the Philippines
24. President, League of Cities of the Philippines
25. President, League of Municipalities of the Philippines

The private sector Chairperson, Co-Vice-Chairpersons, and representatives shall be recommended to the President by the Co-Chairpersons after due consultation with concerned private sector groups.

Mr. Manolo Lopez, former Chairperson of the National Committee for the Commemoration of the 11th Anniversary of the EDSA Revolution, shall serve as Adviser to the National Committee.

SEC. 2. *Functions.* The Committee shall have the following functions:

1. Formulate and implement a comprehensive plan for the nationwide commemoration of the 12th Anniversary of the February 22-25, 1986 EDSA Revolution and coordinate with all sectors concerned in the implementation of the same, taking into consideration austerity measures and the spirit of volunteerism;
2. Create such working committees and designate the respective members thereof from both the private and government sectors, as may be necessary, to ensure the success of the celebration; and
3. Invite or enjoin and mobilize all sectors to participate in the celebration and call upon any government instrumentality to render the necessary assistance therefor.

SEC. 3. *Staff Support.* There shall be organized a joint secretariat composed of personnel from the Department of National Defense, the Department of the Interior and Local Government, and the Department of Tourism which shall provide technical and secretariat support to the National Committee. The heads of departments, agencies, government-owned-and-controlled corporations and other government instrumentalities are directed to give full support to the National Committee and its various working committees and to actively participate in the celebrations.

SEC. 4. *Guidelines.* The National Committee shall pattern this year's celebration after the celebration plan of the 10th Anniversary of the EDSA Revolution and relate this year's theme to the celebration of the Philippine Centennial and the holding of an honest, orderly and peaceful elections (HOPE) in 1998.

SEC. 5. *Funding.* The Secretary of Budget and Management is hereby directed to allocate the amount of THREE MILLION PESOS (P3,000,000) to support this activity. Concerned agencies may allocate such amount as may be necessary to defray the expenditures that may be incurred from participation in the EDSA Anniversary.

This Administrative Order shall take effect immediately.

DONE in the City of Manila this 13th day of January, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **ALEXANDER P. AGUIRRE**

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 375
AMENDING ADMINISTRATIVE ORDER NO. 351 CREATING THE PRESIDENTIAL TASK
FORCE ON TRAFFIC IMPROVEMENT AND MANAGEMENT

I, **FIDEL V. RAMOS**, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby amend Administrative Order No. 351 dated 31 August 1997, and order the following;

Section 1. Section 2 is hereby amended to read as follows:

- | | | |
|-------------|---|---|
| Chairman | - | Assistant Secretary for Land Transportation Office |
| Co-Chairman | - | Representative from the Private Sector to be appointed by the President |
| Members | - | Assistant Secretary, Department of Public Works and Highways |
| | | Assistant Secretary, Department of the Interior and Local Government |
| | | Assistant Secretary, Department of National Defense |
| | | Chief, Philippine National Police |
| | | Chief, Armed Forces of the Philippines |
| | | General Manager, Metro Manila Development Authority |
| | | Governors and Mayors of concerned LGUs for areas outside Metro Manila |
| | | Three (3) Representatives from the Private Sector to be appointed by the Chairman of the Task Force |

The Chairman is hereby vested with full executive authority within the law to rationalize and facilitate the effective and efficient movement and management of people and goods along highways nationwide, particularly in Metro Manila and other urban centers.

Section 2. This Order shall take effect immediately.

DONE in the City of Manila, this 19th day of January, in the Year of Our Lord, Nineteen Hundred and Ninety Eight.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **ALEXANDER P. AGUIRRE**
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 376
CONSTITUTING THE ECONOMIC MONITORING AND MOBILIZATION TASK FORCE

WHEREAS, nearly all of Asia, including the Philippines, has been affected by a financial turmoil that caused currencies and stock prices to drop to unprecedented levels;

WHEREAS, the government is already taking steps to respond to the problems arising from the Asian currency crisis, such as prudent fiscal management and other measures to stabilize the economy;

WHEREAS, there is need to constantly monitor and evaluate developments relative to the Asian currency crisis and the measures taken to address its effects;

WHEREAS, it is imperative that a coordinated effort be undertaken to surmount the crisis and minimize its adverse impact on our people; and

WHEREAS, there is need to constitute a Task Force that will enhance inter-agency coordination and expedite implementation of measures to stabilize the economy and sustain our growth trajectory.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law and the Constitution, do hereby order the following:

SECTION 1. CONSTITUTION OF ECONOMIC MONITORING AND MOBILIZATION TASK FORCE. There is hereby constituted an Economic Monitoring and Mobilization Task Force (hereinafter called "Task Force") under the Office of the President. The Task Force shall be composed of the following:

- | | |
|--|------------|
| a. Secretary, Department of Trade and Industry | - Chairman |
| b. Secretary, Department of Agriculture | - Member |
| c. Director-General, NEDA and Secretary of Socio-Economic Planning | - Member |
| d. Secretary, Department of Finance | - Member |
| e. Secretary, Department of Budget and Management | - Member |
| f. Secretary, Department of the Interior and Local Government | - Member |

A representative from the Bangko Sentral ng Pilipinas may be invited as resource person during the meetings of the Task Force.

SEC. 2. FUNCTIONS OF THE TASK FORCE. The Task Force shall have the following functions:

- Identify areas and/or issues and concerns that should be monitored closely and formulate an indicator system to facilitate monitoring of the economic situation;
- Initiate action and mobilize concerned agencies of government to immediately respond to socio-economic issues and concerns arising from the currency crisis;
- Monitor and evaluate developments relative to the Asian currency crisis and the measures taken to address its effects;

- d. Coordinate and monitor the effective implementation of measures to mitigate the adverse impact of the Asian currency crisis on our people, particularly on the vulnerable and disadvantaged groups; and
- e. Formulate a proactive communication-information plan that will effectively and promptly communicate the actions being undertaken by the government to address the currency crisis.

SEC. 3. CONSTITUTION OF TECHNICAL WORKING GROUP. A Technical Working Group (TWG) shall be constituted to assist the Task Force. The TWG shall be composed of senior representatives of member-agencies of the Task Force (at least Assistant Secretary level) to be supported by senior representatives (at least Director level) from the following:

- a. Department of Agrarian Reform
- b. Department of Environment and Natural Resources
- c. Department of Labor and Employment
- d. Department of Tourism
- e. Office of the Presidential Adviser for Legislative Affairs
- f. Flagship Committee
- g. Presidential Management Staff

SEC. 4. OPERATING GUIDELINES. The Task Force shall be governed by the following operating guidelines:

- a. The Task Force shall work on a daily basis, and meet as often as necessary, to actively monitor and undertake actions on the economic situation;
- b. The Task Force members shall designate their alternates (Undersecretary or Assistant Secretary level) to the Task Force to act as their representatives if they are unable to attend the meetings;
- c. Whenever the Task Force deems necessary, the Task Force may invite representatives from the academe, the private sector, non-government organizations and people's organizations, and other professional groups whose expertise may be harnessed in addressing the issues and concerns arising from the currency crisis;
- d. The Task Force may utilize the Technical Working Group any time by the Task Force to undertake monitoring, validation, evaluation, or inter-agency coordination on issues and concerns affecting the economic situation;
- e. The Task Force Chairman (DTI) shall establish an Operations Center to be headed by the DTI and composed of representatives from economic agencies. The member-agencies shall designate technical staff who will be assigned to the Operations Center;
- f. The Operations Center shall closely coordinate with the Expanded Task Force Lily for monitoring of security and political matters related to the economic situation;
- g. Outside of the regular meetings, the Task Force members may undertake lateral coordination among themselves, as necessary; and
- h. The Task Force shall submit regular reports to the President.

SEC. 5. ADMINISTRATIVE SUPPORT. The Department of Trade and Industry shall provide overall administrative support to the Task Force and the Technical Working Group. The Chairman

may call on any member agency to extend technical support and assistance to the Task Force as may be required.

SEC. 6. EFFECTIVITY CLAUSE. This Administrative Order shall take effect immediately.

DONE, in the City of Manila, this 23rd day of January, in the year of our Lord, Nineteen Hundred and Ninety Eight.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **ALEXANDER P. AGUIRRE**

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 377

**AUTHORIZING THE CORPORATE GUARANTEE & INSURANCE COMPANY, INC., TO
BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS, AND
UNDERTAKINGS**

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that, whenever any recognizance, stipulation, bond, or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal, or otherwise, or of any undertaking, or for doing, or refraining from doing anything, and such recognizance, stipulation, bond, or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing solely of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds of undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, judge, officer, board, or body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract, or undertaking, unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds, and undertakings;

WHEREAS, the Corporate Guarantee & Insurance Company, Inc. is a domestic corporation organized and existing under the laws of the Republic of the Philippines, and fulfills the conditions prescribed by said Act No. 536, as amended.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the Corporate Guarantee & Insurance Company, Inc. to become a surety upon official recognizances, stipulations, bonds, and undertakings, in such manner and under such conditions as are provided by law, subject, however, to the condition that the amount constituting the contributed surplus fund shall not at anytime be withdrawn without prior recommendation and justification by the Insurance Commissioner, duly approved by the Secretary of Finance, and provided further, that the moment Corporate Guarantee & Insurance Company, Inc. becomes indebted to any government instrumentality or political subdivision thereof, or to any government-owned or controlled corporation in the total amount of P50,000.00 accruing from the issuance of bonds, the same having become due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of bonds until the outstanding liabilities in government bonds shall have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of this Administrative Order.

Done in the City of Manila, this 3rd day of February, in the year of Our Lord, nineteen hundred and ninety eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 378
CREATING THE NATIONAL STEERING COMMITTEE FOR AN ENHANCED SCIENCE AND
MATHEMATICS EDUCATION TEACHER TRAINING PROGRAM

WHEREAS, it is necessary to strengthen the Philippines' performance in Science and Mathematics in order to maximize the contribution of our country's vast human resources in attaining our goals of industrialization and economic development;

WHEREAS, among the recommendations during the 02 July 1997 Workshop on Pole-Vaulting into the 21st Century is to improve the quality of Science and Mathematics education in the country in view of the need to upgrade the performance level/competitiveness of our teachers and students in the areas of Science and Mathematics;

WHEREAS, among the "must-do" programs for the government's Pole-Vaulting Strategy to the 21st Century is to establish "The Philippines as the Knowledge Center in the Asia-Pacific" whereby the country shall be capable of providing excellent education, training and research, and world class professional services, as well as efficient and adaptive knowledge-based industry in the Asia-Pacific which is people-oriented and globally competitive;

WHEREAS, there is need to formulate and implement a five-year teacher training program for Science and Mathematics teachers and create a National Steering Committee to ensure the effective planning and implementation of the said training program.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. CREATION OF THE NATIONAL STEERING COMMITTEE FOR AN ENHANCED SCIENCE AND MATHEMATICS EDUCATION TEACHER TRAINING PROGRAM. There is hereby created the National Steering Committee for an Enhanced Science and Mathematics Education Teachers Training Program, hereinafter referred to as the Committee, which shall act as the policy-making and major resource allocation body for the effective implementation of Project RISE: Rescue Initiative for Science Education, a five-year teacher training program for Science and Mathematics teachers at the public and private elementary, secondary and post-secondary technical/vocational schools nationwide.

SEC. 3. COMPOSITION. The Committee shall be composed of the Secretary of Science and Technology (DOST), as Chairman and Secretary of Education, Culture and Sports (DECS) as Co-Chairman, and the following, as members:

- a. Chairman, Commission on Higher Education (CHED)
- b. Director-General, Technical Education and Skills Development Authority (TESDA)
- c. Representative, Presidential Management Staff (PMS)
- d. Director, Science Education Institute (SEI)
- e. Representative, Department of Budget and Management (DBM)

- f. Three (3) Representatives from the private sector, who shall be nominated by the Committee Chairman and appointed by the President.

SEC. 4. FUNCTIONS. The Committee shall have the following functions:

1. Formulate a five-year massive training program for Science and Mathematics teachers at the elementary, secondary and post-secondary public and private schools nationwide;
2. Oversee the effective and synchronized implementation of the five-year plan by concerned agencies;
3. Formulate strategies for strengthening capabilities of training institutions such as but not limited to Regional Science Training Centers (RSTC) of DOST, Centers of Excellence (COE) and Centers of Development (COD) of CHED for the conduct of training programs;
4. Devise and implement resource development scheme to ensure continued allocation of program funds;
5. Assess overall progress of the teacher training program, and review monitoring and evaluation results;
6. Create sub-committees at the national and regional levels and appoint their respective chairpersons and members;
7. Submit quarterly reports to the President; and
8. Perform such other tasks as may be directed by the President.

SEC. 5. STAFF SUPPORT. The Science Education Institute (SEI) shall provide the technical, secretariat and administrative support to the Committee and establish a training project implementation and coordinating staff (TPICS).

SEC. 6. FUNDING. Budgetary requirements for 1998 shall be sourced from the budget allocation of DOST, DECS, CHED and TESDA and from other sources to be determined by the DBM until such time that the proposed bill institutionalizing Project RISE shall have been approved.

SEC. 7. HIRING OF EXPERTS/SPECIALISTS. The Committee is hereby authorized to set aside a portion of its fund allocation for the hiring of qualified consultants, experts and resource persons for various technical services to effectively implement the program.

SEC. 8. EFFECTIVITY. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 4th day of February, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **ALEXANDER P. AGUIRRE**

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 379

**AUTHORIZING THE EVER GRAND INSURANCE COMPANY, INC., TO BECOME A SURETY
UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS, AND UNDERTAKINGS**

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that, whenever any recognizance, stipulation, bond, or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal, or otherwise, or of any undertaking, or for doing, or refraining from doing anything, and such recognizance, stipulation, bond, or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing solely of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds of undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, judge, officer, board, or body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract, or undertaking, unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds, and undertakings;

WHEREAS, the Ever Grand Insurance Company, Inc. is a domestic corporation organized and existing under the laws of the Republic of the Philippines, and fulfills the conditions prescribed by said Act No. 536, as amended.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the Ever Grand Insurance Company, Inc. to become a surety upon official recognizances, stipulations, bonds, and undertakings, in such manner and under such conditions as are provided by law, subject, however, to the condition that the amount constituting the contributed surplus fund shall not at anytime be withdrawn without prior recommendation and justification by the Insurance Commissioner, duly approved by the Secretary of Finance, and provided further, that the moment Ever Grand Insurance Company, Inc. becomes indebted to any government instrumentality or political subdivision thereof, or to any government-owned or controlled corporation in the total amount of P50,000.00 accruing from the issuance of bonds, the same having become due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of bonds until the outstanding liabilities in government bonds shall have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of this Administrative Order.

Done in the City of Manila, this 6th day of February, in the year of Our Lord, nineteen hundred and ninety eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 380
AUTHORIZING THE PHILIPPINE GENERAL INSURANCE CORPORATION TO BECOME
A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS, AND
UNDERTAKINGS

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that, whenever any recognizance, stipulation, bond, or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal, or otherwise, or of any undertaking, or for doing, or refraining from doing anything, and such recognizance, stipulation, bond, or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing solely of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds of undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, judge, officer, board, or body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract, or undertaking, unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds, and undertakings;

WHEREAS, the Philippine General Insurance Corporation is a domestic corporation organized and existing under the laws of the Republic of the Philippines, and fulfills the conditions prescribed by said Act No. 536, as amended.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the Philippine General Insurance Corporation to become a surety upon official recognizances, stipulations, bonds, and undertakings, in such manner and under such conditions as are provided by law, subject, however, to the condition that the amount constituting the contributed surplus fund shall not at anytime be withdrawn without prior recommendation and justification by the Insurance Commissioner, duly approved by the Secretary of Finance, and provided further, that the moment Philippine General Insurance Corporation becomes indebted to any government instrumentality or political subdivision thereof, or to any government-owned or controlled corporation in the total amount of P50,000.00 accruing from the issuance of bonds, the same having become due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of bonds until the outstanding liabilities in government bonds shall have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of this Administrative Order.

Done in the City of Manila, this 6th day of February, in the year of Our Lord, nineteen hundred and ninety eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 381

PROVIDING FOR THE FULFILLMENT BY THE NATIONAL POWER CORPORATION OF ITS OBLIGATIONS UNDER THE AGREEMENT FOR THE SALE AND PURCHASE OF NATURAL GAS DATED DECEMBER 30, 1997 WITH SHELL PHILIPPINES EXPLORATION B.V./OCCIDENTAL PHILIPPINES, INC. AND THE COMPLIANCE OF THE NATIONAL GOVERNMENT, THROUGH THE DEPARTMENT OF FINANCE AND THE DEPARTMENT OF ENERGY WITH ITS PERFORMANCE UNDERTAKING THEREFOR AND OTHER PURPOSES.

WHEREAS, the Government of the Republic of the Philippines, represented by the Office of Energy Affairs (now the Department of Energy or “DOE”), and Shell Exploration B.V./Occidental Philippines, Inc., their assignees and successors-in-interest (hereinafter alternatively called the “Service Contractor”, the “Sellers” or “Shell/Oxy” for brevity) entered into a Service Contract (“SC 38”) on December 11, 1990 as clarified by a Memorandum of Clarification between the same parties of the same date, covering the Camago-Malampaya Reservoir, among others, located offshore Northwest Palawan, Philippines (hereinafter called the “Natural Gas Project”);

WHEREAS, Shell Exploration B.V. has assigned on December 11, 1990 its rights and obligations under SC 38, as clarified, to Shell Philippines Exploration B.V.;

WHEREAS, under SC 38, as clarified, a production sharing scheme has been provided whereby the Government is entitled to receive an amount equal to sixty percent (60%) of the net proceeds from the sale of Petroleum (including Natural Gas) produced from Petroleum Operations (all as defined in SC 38) while Shell/Oxy, as Service Contractor is entitled to receive an amount equal to forty percent (40%) of the net proceeds;

WHEREAS, Section 7.3(b) of SC 38, as clarified, provides that the Office of Energy Affairs, now the DOE, shall be entitled to receive in kind Petroleum, including Natural Gas, equal in value to sixty percent (60%) of net proceeds;

WHEREAS, the Service Contractor has also been authorized to market to the National Power Corporation (“NPC”) on behalf of the Government, the Government’s share of Natural Gas produced and saved from the Contract Area (as defined in SC 38) and to market additional volumes to other domestic buyers;

WHEREAS, based on seismic surveys and exploration and appraisal well drilling, Shell/Oxy have established the presence, in the Camago-Malampaya Reservoir in the Contract Area, of Natural Gas in quantities estimated to be sufficient to justify the pursuit of gas-to-power projects having an aggregate power generating capacity of approximately 3,000 MW operating at baseload for twenty years;

WHEREAS, NPC’s 1,200 MW Ilijan Power Plant located in the province of Batangas is one of the natural gas-fired plants that will utilize, as its main fuel, Natural Gas produced from the Contract Area and provide a ready market for the Natural Gas Project;

WHEREAS, the Service Contractor, as the Sellers, and the NPC, as the Buyer entered into an Agreement for the Sale and Purchase of Natural Gas (hereinafter called the “GSPA”) on December 30,

1997, relating to the sale and purchase of Natural Gas from the Camago-Malampaya Reservoir for the Ilijan Power Plant and other purposes;

WHEREAS, in accordance with the GSPA, the Start Date for the Sellers to tender for delivery and for the Buyer to take Natural Gas shall be on January 2, 2002 subject to the Sellers or the Buyer being ready, respectively, to tender for delivery or receive Natural Gas;

WHEREAS, in the event of a low growth scenario, it is forecasted that there may be an excess in the capacity to supply electricity which may affect the capability of NPC to take the full Take-or-Pay Quantity (the “TOPQ”) under clause 9 of the GSPA in the early Contract Years of the GSPA;

WHEREAS, under clause 9 of the GSPA, Natural Gas not taken but paid for by NPC (hereinafter called “Annual Deficiencies”) will be made available to NPC without additional charge subject to the GSPA;

WHEREAS, Section 88(1) of P.D. No. 1445 prohibits the Government from making advance payment for supplies and materials not yet delivered under any contract, except with the prior approval of the President of the Republic of the Philippines;

WHEREAS, under Section 44, Chapter 5, Book VI, of the Revised Administrative Code of 1987 (Executive Order No. 292) amounts received in trust and from the business-type activities of Government may be separately recorded and be disbursed in accordance with such rules and regulations as may be determined by the Permanent Committee created under the same Code;

WHEREAS, under Section 8 of R.A. No. 6395 (Revised NPC Charter), as amended, the National Government is authorized to guarantee the loans, credits and indebtedness of NPC;

WHEREAS, the Government has determined that it can derive the following economic and social benefits from the Natural Gas Project:

1. the use of Natural Gas for power generation will effect lower electricity rates resulting in savings estimated at about US\$2.2 billion;
2. based on the estimated production level and Natural Gas pricing formula between the Sellers and the Buyers of such Natural Gas, the estimated Government revenues for the 20-year contract period will be around US\$8.1 billion; this includes estimated revenues to be generated from the available oil and condensate reserves of the Camago-Malampaya Reservoir; the province of Palawan is expected to receive about US\$2.1 billion from the total Government share of US\$8.1 billion;
3. the Natural Gas Project represents the single largest and most significant investment in the history of Philippine business, with a total private investment portfolio of about US\$4.8 billion: it includes investment in both upstream and downstream operations which in turn will create new job opportunities requiring engineering, technical, professional and skilled manpower;
4. the utilization of Natural Gas will displace imported fuels, in the process releasing valuable foreign exchange for other productive uses thereby improving the Philippines’ trade balance; the estimated foreign exchange savings that will be realized will be around US\$4.5 billion;
5. in addition to triggering an inflow of the latest oil and gas technology and skills in the country, the introduction of Natural Gas as an environment-friendly fuel for power generation will have a positive major environment impact; natural gas is a clean fuel for power generation compared to coal and oil and the environmental benefits have been quantified to amount to an estimated savings of about US\$1.1 billion;

6. the Natural Gas Project offers the opportunity of increasing the country's energy self-reliance; with the substantial realization of this indigenous resource in the energy mix, the country can look forward to gradually veering away from heavily using imported oil and coal in the power generation sector.

WHEREAS, the Government's share in Petroleum (including Natural Gas) produced under SC 38, as clarified, will be reduced (i) by the share of concerned local government units pursuant to the Local Government Code and (ii) by amounts of income taxes due from and paid on behalf of the Service Contractor (the resulting amounts hereinafter called the "Net Government Share");

WHEREAS, to support the development of the Natural Gas Project, the National Government through the DOE, has agreed, with the conformity of the Department of Finance (the "DOF"), to provide assistance to NPC by utilizing the Net Government Share to satisfy the TOPQ provisions of the GSPA in respect of the part of such TOPQ that is in excess of NPC's Planned Generation Consumption as specified in Table 1 hereof, in consideration of the DOE's being subrogated to NPC's right to recover the corresponding Annual Deficiencies to be supplied by the Sellers under clause 9 of the GSPA;

WHEREAS, the Net Government Share during the early Contract Years of the GSPA may not be sufficient to pay for the Natural Gas payable but not taken by NPC under the TOPQ provisions of the GSPA;

WHEREAS, the Sellers have offered to NPC a Deferred Payment Facility (the "Facility") to finance, under terms to be agreed upon, payment for the Natural Gas not taken but payable by NPC under the TOPQ provisions of the GSPA, after the application of the Net Government Share, to the extent of the difference between the TOPQ and the greater of: (I) NPC's Planned Generation Consumption and (ii) the quantities of Natural Gas actually taken by NPC, for each relevant Contract Year under the GSPA;

WHEREAS, in view of the socio-economic and environmental advantages to the country of the Natural Gas Project, full Government support for NPC's fulfillment of its obligations under the GSPA is imperative;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. NPC is hereby authorized to make payments under the Take-or-Pay Quantity provisions in clause 9 of the GSPA for Natural Gas, whether delivered and taken or tendered for delivery and not taken. NPC shall adopt all necessary measures to maximize utilization of the TOPQ within the earliest possible period.

SEC. 2. The National Government, through the DOE, shall guarantee, under the terms of a "Performance Undertaking" to the Sellers, the payment of NPC's financial obligations under the GSPA (or under the Facility to the extent such obligations are financed under the Facility) in consideration of fees to be paid by the Sellers to the DOE under such Performance Undertaking.

SEC. 3. The National Government, through the DOE, shall utilize the Net Government Share to satisfy the TOPQ provisions of the GSPA in respect of the part of such TOPQ that is in the excess of NPC's Planned Generation Consumption as specified in Table 1 hereof.

SEC. 4. In the event that the Net Government Share from the DOE in a given Contract Years as defined in the GSPA is insufficient to pay for the Natural Gas not taken but payable under the TOPQ provisions of the GSPA that is in excess of NPC's Planned Generation Consumption, NPC is hereby authorized to avail itself of the Deferred Payment Facility. In addition to the purposes set out in Section 3

hereof, the Net Government Share for the succeeding Contract Years shall be used to pay the Sellers for any amounts outstanding under the Facility.

SEC. 5. Pursuant to Section 44, Chapter 5, Book VI, of the Revised Administrative Code of 1987 (Executive Order No. 292), a Special Net Government Share Account (the “Account”) is hereby created with the Bureau of the Treasury to be sourced from Net Government Share in the proceeds of all petroleum, natural gas and geothermal service contracts, and coal operating contracts of the Government, other than SC 38, under P.D. No. 87, as amended, and other pertinent legislation.

SEC. 6. The Account shall be used to pay the Sellers any amounts outstanding under the Facility or due under the Performance Undertaking in respect of Natural Gas not taken that is in excess of NPC’s Planned Generation Consumption but payable by NPC under the TOPQ provisions of the GSPA.

SEC. 7. In the event that (I) the Net Government Share, (ii) the Facility and (iii) the funds contained in the Account are insufficient or not available for the purposes set forth in Sections 3, 4, and 6 hereof, or other obligations arise under the Performance Undertaking, the balance of the amounts due to the Sellers under the Performance Undertaking shall be paid from other available government sources or funds.

SEC. 8. As soon as NPC is able to utilize Annual Deficiencies, NPC shall pay the DOE the value of the Annual Deficiencies so utilized by NPC to the extent such Annual Deficiencies have been paid by the DOE from the Net Government Share.

SEC. 9. The DOF, DOE and NPC are hereby authorized to enter into any agreements necessary to implement the provisions of this Order.

SEC. 10. The DOF and DOE shall have joint primary jurisdiction over any issue or controversy which may arise from the interpretation of this Order and of other inter-agency agreements which may be executed pursuant hereto, without prejudice to the dispute resolution provisions contained in the GSPA, the Facility and the Performance Undertaking.

SEC. 11. Should any portion or provision of this Order be declared unconstitutional, illegal or contrary to law, the remaining portions or provisions unaffected by such a ruling shall continue to remain in force and in effect.

SEC. 12. This Order shall take effect immediately upon issuance.

DONE in the City of Manila, this 17th day of Feb, in the year of Our Lord, nineteen-hundred and ninety-eight.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **ALEXANDER P. AGUIRRE**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 382
ESTABLISHING THE INTERNATIONAL BENIGNO “NINYO” AQUINO, JR. HUMAN RIGHTS
AWARD AND CONSTITUTING A SEARCH COMMITTEE FOR THE PURPOSE

WHEREAS, the world witnessed the act of sacrifice that ignited the flame of freedom among Filipinos and international community for the courage and patriotism of Senator Benigno “Ninoy” Aquino, Jr.;

WHEREAS, there is need to perpetuate the achievements and sacrifices of the late Senator Aquino through the establishment of an International Award System on Human Rights which will accord recognition to international human rights advocates who have contributed to the promotion and recognition of human rights worldwide; and,

WHEREAS, there is need to constitute a search committee that will implement the Award System.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Establishment of the International Benigno “Ninoy” Aquino, Jr. Human Rights Award. There is hereby established the International Benigno “Ninoy” Aquino, Jr. Human Rights Award to be given to outstanding citizens of the world who are advocates of universal human rights, which shall hereinafter be referred to as the Ninoy Aquino, Jr. Human Rights Award.

SEC 2. Creation of the Search Committee on the International Benigno “Ninoy” Aquino, Jr. Human Rights Award. For the purpose, a Search Committee hereinafter referred to as the “Committee”, shall be created to define the mechanics and criteria and determine the possible awardees.

The Committee shall be chaired by the Chairperson, Commission on Human Rights with the following as members:

1. Undersecretary, Department of Foreign Affairs;
2. Undersecretary, Department of Justice;
3. Undersecretary, Department of Education, Culture and Sports;
4. Undersecretary, Department of the Interior and Local Government;
5. Chief, Office of the Presidential Protocol; and,
6. Three (3) private sector individuals who are recognized experts in the field of human rights advocacy, promotion and protection to be appointed by the Committee Chairperson, one of whom shall serve as Vice Chairperson of the Committee.

SEC. 3. Secretariat Support. The Commission on Human Rights shall provide the technical, administrative and secretariat support to the Committee.

SEC. 4. Functions of the Committee. The Committee shall have the following duties and responsibilities:

1. Determine the nature and scope of the award;
2. Formulate the mechanics and selection process for the award system;
3. Draw up the operational guidelines to implement the award;
4. Coordinate with appropriate United Nations bodies and fora (e.g. United Nations High Commissioners on Human Rights and Refugees, United Nations Educational, Scientific and Cultural Organization) and other international bodies to generate support and assistance for the award; and,
5. Submit nominees to the President for the awards

The Committee shall constitute an advisory body for the award system to be composed of men and women of impeccable character and integrity and proven track records in human rights advocacy, promotion and protection which shall assist the committee in the selection and screening of nominees for the award.

SEC. 5. Funding. An initial amount of ONE MILLION PESOS (P1,000,000.00) shall be released from the President's Social Fund to the Commission on Human Rights for the funding requirements of the Committee, subject to the usual government accounting and auditing procedures.

SEC. 6. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 24th day of February, nineteen hundred and ninety eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 383
CONSTITUTING A NATIONAL EXECUTIVE COMMITTEE ON THE 1998 OBSERVANCE OF
ARAW NG KAGITINGAN AND PHILIPPINE VETERAN'S WEEK

WHEREAS, Executive Order No. 292, series of 1987, declares April 9 of every year as a regular holiday for the celebration of Araw Ng Kagitingan;

WHEREAS, Proclamation No. 466, series of 1989, designated the period April 5 to 11 of every year as Philippine Veterans Week in order to promote, preserve, and memorialize the principles, ideals, and deeds of our War Veterans and as a means to enhance patriotism and love of country, especially among the youth of the land;

WHEREAS, there is a need to create a body that shall spearhead the commemoration of the said events with fitting activities to ensure their success;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. There is hereby constituted a National Executive Committee on the observance of Araw ng Kagitingan and Philippine Veterans Week, which shall be headed by the Undersecretary for Veterans and Reserve Affairs, Department of National Defense, as Chairman, with the following members:

Executive Director, National Centennial Commission
Undersecretary of Tourism
Undersecretary of Education, Culture and Sports
Undersecretary of Public Works and Highways
Undersecretary of the Interior and Local Government
Undersecretary of Budget and Management
Undersecretary of Transportation and Communications
Head, Philippine Information Agency
Chief of Staff, Armed Forces of the Philippines
Director General, Philippine National Police
Governor, Province of Bataan
Governor, Province of Tarlac
Governor, Province of Cavite
Administrator, Philippine Veterans Affairs Office
Executive Director, National Historical Institute
President, Veterans Federation of the Philippines (VFP)
National Commander, Defenders of Bataan and Corregidor (DBC)
President, VFP Sons and Daughters of Veterans, Inc. (VFP-SDAVI)
National President, Boy Scouts of the Philippines

National President, Girl Scouts of the Philippines
Chief, Military Shrines Service

SEC. 2. The Committee is hereby empowered to call any agency or instrumentality of the government including government-owned and controlled corporations and to invite any private individual, or Non-Governmental Organizations, for such financial and other kinds of assistance as it may need in the discharge of its functions and only for the duration of the celebration.

SEC. 3. The release of TWO MILLION PESOS (P2,000,000.00) chargeable against the President's Contingent Fund is hereby authorized to carry out the provisions of this Administrative Order. Any deficiency shall be charged against the regular budget of the participating agencies.

SEC. 4. This Administrative Order shall take effect immediately.

Done in the City of Manila, this 2nd day of March, in the year of Our Lord, nineteen hundred and ninety eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 384

AMENDING ADMINISTRATIVE ORDER NO. 180, SERIES OF 1995, INCREASING THE MEMBERS OF THE BOARD OF THE TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (TESDA) UNDER REPUBLIC ACT NO. 7796

WHEREAS, Section 7 of Republic Act No. 7796, otherwise known as the TESDA Act of 1994, provides that the TESDA Board shall be composed of the Secretary of Labor and Employment as chairperson, Secretary of Education, Culture and Sports and Secretary of Trade and Industry as co-chairpersons, and the following as members: Secretary of Agriculture, Secretary of the Interior and Local Government, two (2) representatives from employer's group, three (3) representatives from labor group and two (2) representatives from national associations of private technical-vocational education and training institutions;

WHEREAS, pursuant to the same Section of RA 7796, the President is authorized to revise the membership of the TESDA Board whenever the President deems it necessary for the effective performance of the Board's functions through an administrative order.

WHEREAS, Administrative Order No. 180, Series of 1995 increased the number of the TESDA Board members to include the DOST Secretary as an ex-officio member, two (2) additional representatives from the employer/industry organization and three (3) additional members from the labor sector; and

WHEREAS, the inclusion of the CHED Chairman as member of the TESDA Board shall redound to a more effective and rationalized technical education and skills development policies, strategies and program.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION. 1. The composition of the TESDA Board is hereby amended to include the Chairman of the Commission on Higher Education as ex-officio member.

SEC. 2. This Administrative Order shall take effect fifteen (15) days following its publication in two (2) newspapers of general circulation.

SEC. 3. Repealing Clause. All laws, order, issuances, rules and regulations or parts thereof inconsistent with this Administrative Order are hereby repealed or modified accordingly.

DONE in the City of Manila, this 11th day of March, in the year of Our Lord Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 385
APPROVING THE FRAMEWORK FOR THE 1998 TRANSITION MANAGEMENT PLAN

WHEREAS, it is the declared policy of the government to ensure a peaceful, orderly and smooth transfer of powers to the next duly-elected President;

WHEREAS, the duly-elected President and his incoming Cabinet members should be given full support and cooperation by the outgoing Cabinet to allow for their smooth assumption into office; and

WHEREAS, there is a need to prepare a Transition Management Plan to ensure a proper and orderly transition of government into the next Administration.

NOW, THEREFORE, I, FIDEL V. RAMOS, by the powers vested in me by Law and the Constitution do hereby order:

SECTION 1. Approval of the Framework for the 1998 Transition Management Plan. The Framework for the 1998 Transition Management Plan, hereto attached, is hereby approved.

SEC. 2. Immediate Implementation of the Plan. All Heads of Government Departments, Agencies, Bureaus, and Instrumentalities including Government-Owned-and-Controlled Corporations shall adopt and implement the Plan immediately.

SEC. 3. Funding. Funding for the transition plans and other transition activities shall be sourced from the respective budget of the departments/agencies.

SEC. 4. Submission of Reports. All departments/agencies shall submit progress reports on the status of their transition activities on a monthly basis.

SEC. 5. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 17th of March, in the year of our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **ALEXANDER P. AGUIRRE**
Executive Secretary

Reference: Proposed Framework for the 1998 Transition Management Plan

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 386
CONSTITUTING A TRANSITION COMMITTEE IN THE OFFICE OF THE PRESIDENT

WHEREAS, it is the declared policy of the government to ensure a peaceful, orderly and smooth transfer of powers to the next duly elected President;

WHEREAS, the duly-elected President and his incoming Cabinet members should be given full support and cooperation by the outgoing Cabinet to allow for their smooth assumption into office; and

WHEREAS, there is a need to constitute a Transition Committee in the Office of the President to ensure a proper and orderly transition of government into the next Administration.

NOW, THEREFORE, I, FIDEL V. RAMOS, by the powers vested in me by Law and the Constitution do hereby order:

SECTION 1. Constitution of the Transition Committee in the Office of the President (OP). A Transition Committee in the Office of the President is hereby constituted with the Executive Secretary as Chairman and Head, Presidential Management Staff as Vice-Chairman. The Committee shall have the following members:

- a. Chief, Presidential Protocol Office
- b. Director, OP Finance
- c. Director, OP Personnel
- d. PA for Palace Internal Household Affairs Office; and
- e. Director, Malacanang Records Office

The OP Transition Committee may organize working groups as may be deemed necessary. Appropriate funding for transition activities shall be supported by the Department of Budget and Management.

SEC. 2. Functions. The OP Transition Committee shall have the following functions:

- a. Oversee the preparation and implementation of the transition plan and the necessary transition reports.
- b. Serve as official representatives of the Office of the President to meetings which may be called by the Transition Team of the President-elect.
- c. Facilitate and coordinate resolution of issues that may arise in the preparation of required documents and other activities related to the transition.

SEC. 3. Secretariat. Secretariat support to the Committee shall be provided jointly by the Office of the Executive Secretary and the Presidential Management Staff.

SEC. 4. Assistance from OP Units. All organizational units in the Office of the President are directed to extend all the necessary support and assistance to the OP Transition Committee in undertaking the various transition activities.

SEC. 5. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 17th of March, in the year of our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 387
PROVIDING FOR THE CREATION OF A TASK FORCE ON THE PROPOSED ESTABLISHMENT
OF THE INTERNATIONAL CRIMINAL COURT

WHEREAS, the proposed establishment of the International Criminal Court (ICC) has received strong support from the global community owing to the rising incidence of international crimes that has undermined international peace and stability;

WHEREAS, the Philippines has signified its support for the establishment of the ICC as a legal mechanism that will enhance international criminal justice enforcement;

WHEREAS, the recent resolve of the global community to establish a new international legal order predicated on consensus and collective action has brought forth a number of complex issues requiring serious consideration by a group of experts from the legal field in order for the involvement of the Philippines in the Preparatory Committee of the ICC to become more meaningful;

NOW THEREFORE, I, **FIDEL V. RAMOS**, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Creation of a Task Force on the Proposed Establishment of the International Criminal Court. There is hereby created a Task Force on the Proposed Establishment of the International Criminal Court, hereinafter referred to as the ICC Task Force, under the joint administrative and technical supervision of the Department of Foreign Affairs (DFA) and the Department of Justice (DOJ);

SECTION 2. Composition. The ICC Task Force shall be composed of the following agencies, through their duly designated representatives, with the rank of at least Assistant Secretary or Deputy Head:

Department of Foreign Affairs	- Chairman
Department of Justice	- Co-Chairman
Office of the Solicitor General	- Member
Office of the Executive Secretary/(Office of the Chief Presidential Legal Counsel)	- Member
Department of Interior and Local Government	- Member
University of the Philippines College of Law	- Member

The heads of other academic institutions, law firms and other legal organizations may be invited or consulted as resource persons/agencies.

SECTION 3. Duties and Functions. The ICC Task Force shall have the following duties and functions:

1. Undertake studies and researches pertaining to the proposed establishment of the International Criminal Court;
2. Formulate policy recommendations to serve as inputs in the review and consolidation of the Philippine Government's position in the Preparatory Committee meetings of the ICC and the United Nations General Assembly;
3. Identify and recommend legislative measures necessary in the furtherance of the foregoing;
4. Serve as a forum for the resolution of issues and concerns pertaining to the establishment of the ICC;
5. Pursue other related functions which may be deemed necessary by the President.

SECTION 4. Technical and Administrative Support. The DFA and the DOJ shall serve as the Secretariat to the ICC Task Force. As such, it shall provide technical and administrative support to the ICC Task Force to enable it to discharge its duties and functions.

SECTION 5. Funding. The DFA and the DOJ, subject to applicable accounting and auditing regulations, shall provide the ICC Task Force's and the Secretariat's budgetary outlay.

SECTION 6. Effectivity. This Order shall take effect immediately.

Done in the City of Manila, this 24th day of March, in the year of our Lord, nineteen hundred and ninety-eight.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) ALEXANDER P. AGUIRRE

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACAÑANG

ADMINISTRATIVE ORDER NO. 388
CREATING AN AD HOC COMMITTEE TO INVESTIGATE THE ADMINISTRATIVE
CASE FILED AGAINST EXECUTIVE DIRECTOR MA. CHONA D. DIMAYUGA AND
ADMINISTRATIVE OFFICER PAULINO G. GUECO BOTH OF THE TOLL
REGULATORY BOARD

There is hereby created an ad hoc Investigating Committee, referred to as the Committee, to investigate Executive Director Ma. Chona M. Dimayuga and Administrative Officer Paulino G. Gueco both of the Toll Regulatory Board (TRB), who are named respondents in the case entitled: "Toll Regulatory Board, et al. vs. Ma. Chona M. Dimayuga, et al"., PCAGC ADM-98-0466.

The Investigating Committee shall be composed of the following:

EUFEMIO C. DOMINGO Chairman Presidential Commission Against Graft and Corruption	- Chairman
JAIME L. GUERRERO Commissioner Presidential Commission Against Graft and Corruption	- Member
LEONARDO M. RIVERA Commissioner Presidential Commission Against Graft and Corruption	- Member

The Committee shall follow the procedure prescribed under Section 38 to 40 of the Civil Service Law (PD 807), as amended. The investigation of the administrative complaint shall be terminated by the Investigating Committee within ninety (90) days from the start thereof.

The Committee shall, within twenty (20) days after receipt of the last pleading and evidence, if any, in case the respondents do not elect a formal investigation; or after the expiration of the period within which to submit the same; or after the termination of the formal investigation; or after the parties have submitted their respective memoranda, if so allowed; forward to the Disciplining Authority the entire records of the case, together with its findings and recommendations, as well as the draft decision for the approval of the President.

This Administrative Order shall take effect immediately.

Done in the City of Manila, this 25th day of March, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

By authority of the President:
(Sgd.) **ALEXANDER P. AGUIRRE**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). [*Administrative Order Nos.: 301 - 407*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 389
GUIDELINES ON THE DISPOSITION OF GOVERNMENT IDLE PROPERTIES
LOCATED IN THE PHILIPPINES

Upon recommendation of the Ad Hoc Committee created under Administrative Order No. 9, dated September 11, 1992, as amended by Administrative Order No. 210, dated August 11, 1995, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order as follows:

SECTION 1. Definition of Terms

The following terms are to be understood and interpreted as follows for the purpose of this Order:

- (a) "Government Idle Properties located in the Philippines" mean all real properties such as land, buildings and other improvements located in the Philippines and owned by the National Government through its departments, bureaus, offices, agencies and instrumentalities, including government owned or controlled corporations (GOCCS) which have remained unutilized and/or underutilized.
- (b) "Underutilized Properties" mean those which have not been substantially developed, improved or cultivated for a period of more than five years.

SEC. 2. Coverage.

These guidelines shall apply to government idle properties located in the Philippines. Government idle properties located abroad are exempt from the coverage as the latter is governed by Administrative Order No. 8, dated 11 September 1992.

SEC. 3. Inventory.

The Ad Hoc Committee (AHC) created pursuant to A.O. No. 9, as amended by A.O. No. 210, shall review and complete the existing inventory of government idle properties located in the Philippines.

On the basis of the said inventory, the AHC shall determine the following:

- (a) Government idle properties suited for retention by the Government, and
- (b) Government idle properties suited for disposition.

Included in the determination in (a) are at least ten (10) government lands which can be developed for government offices and/or business establishments.

SEC. 4. Assets for Retention and Disposition.

The following guidelines shall be observed in order to maximize utilization of government idle properties located in the Philippines:

4.1. Assets for Retention

- 4.1.1. AHC shall identify potential areas where government offices can be located and determine if any of the idle properties owned by the Government and located in the said area can be retained. All Government entities that are interested in the property shall submit their intention to use or acquire said properties and their reasons therefor, to the AHC within 30 days from receipt of the AHC notice.
- 4.1.2. The transfer or conveyance of a government idle property from one Government institution to another shall be based on the latest appraisal value of the property, as determined by an independent appraisal entity.
- 4.1.3. Upon determination by AHC of government idle properties suited for retention, it shall submit to the President the recommended action plan for the latter's clearance.

4.2. Assets for Disposition

- 4.2.1. All government idle properties located in the Philippines not identified and determined as suited for retention, shall be available for disposition. Assets identified by AHC for disposition through BOT shall be endorsed by AHC to NEDA, upon clearance by the President.
- 4.2.2. All other remaining assets identified by AHC for disposition shall be endorsed by AHC to the Committee on Privatization (COP), upon clearance by the President.
- 4.2.3. In the disposition of said assets, COP may consider alternative divestment schemes such as sale, lease, management and maintenance contracts or other divestment options.
- 4.2.4. The offer to private entities shall be through public bidding. However, if there's a failure to bid during the first auction, negotiation may be undertaken, as provided by COA Circular No. 89-296.
- 4.2.5. Sale of all assets shall be published in at least three newspapers of general circulation in the Philippines for three (3) consecutive days. Furthermore, the first publication shall occur at least ten (10) days prior to the scheduled bidding date or date of negotiation, as provided by R.A. 7661.

SEC. 6. Effectivity.

This Order shall take effect immediately upon approval.

Done in the City of Manila, this 27th day of March, in the year of Our Lord, nineteen hundred and ninety eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 390
IMPOSING THE PENALTY OF DISMISSAL FROM THE SERVICE OF DR. ROSALINDA U.
MAJARAIS, DIRECTOR IV, DEPARTMENT OF HEALTH

This refers to the Anonymous Complaint, dated March 15, 1996, received on even date by the Office of the Secretary of Health, thru the Office of Public Health Services, Department of Health (DOH) regarding alleged anomalous purchase of hospital medical kits and community health care medical kits by herein respondents, namely: Dr. Rosalinda U. Majarais, Director IV, Horacio D. Cabrera, Administrative Officer III and Priscilla Camposano, Financial Management Chief II, all of DOH-National Capital Region (NCR).

Acting thereon, the Secretary of Health issued Department Order No. 104-D, series of 1996, creating a committee to undertake an inquiry on the said complaint. In its report, dated May 07, 1996, the Committee found prima facie case for grave misconduct, gross incompetence, violation of law, rules and regulations and conduct prejudicial to the best interest of the service against the respondents.

On December 02, 1996, the Presidential Commission Against Graft and Corruption (PCAGC) directed the DOH to stop all investigations and turn over to the Commission all records of the case pursuant to Administrative Order (AO) No. 298, dated October 25, 1996, issued by then Executive Secretary Ruben D. Torres.

Briefly, the facts of the case are as follows:

1. On November 10, 1995, Horacio D. Cabrera prepared and filed Requisition Issue Vouchers (RIVs) for six hundred (600) units of Community Health Care Medical Kits and two hundred (200) units of Hospital Medical Kits.

2. Dr. Rosalinda U. Majarais approved both RIVs.

3. Dr. Roland L. Cortez, Chairman, Bids and Awards Committee sent on November 10, 1995 letter-requests to suppliers for quotations.

The following responses were received:

“For: Community Health Care Medical Kit (Kit 1)

Supplier	Price Quoted/Kit	Date of Response
Sapphire Pharma Medical	₱19,500	Nov. 20, 1995
Mc Andilles Drug Chemical Trading	₱18,000	Nov. 17, 1995
San Marino Laboratories Corp.	₱15,000	Nov. 10, 1995
Metro Drug Distribution, Inc.	_____	Dec. 01, 1995

“For: Hospital Medical Kit (Kit II)

Supplier	Price Quoted/Kit	Date of Response
Sapphire Pharma Medical	₱19,500	Nov. 20, 1995
Mc Andilles Drug Chemical Trading	₱18,000	Nov. 17, 1995
JohnTann Int'l. Pharma Corp.,	₱15,000	Nov. 10, 1995
Metro Drug Distribution, Inc.,	_____	Dec. 01, 1995

4. On November 14, 1995, Memorandum of Agreements between the DOH, represented by Dr. Rosalinda U. Majaraes and San Marino Laboratories Corporation and JohnTann International Pharmaceutical Corporation were signed, authorizing the two suppliers to supply the medical kits to DOH.

On the basis of the foregoing facts, respondents were charged of the following:

1. No public bidding;
2. Splitting of transaction in violation of COA Circular No. 76-41 dated July 30, 1976; and
3. Grossly overpriced purchase price

Both complainants and respondents invoke Executive Order No. 301, dated July 28, 1987, the former stressing the general rule that there must be public bidding, and the latter relying on the exception to the general rule. The PCAGC had this to say on the matter:

“The law is very clear and explicit which leaves no room for doubt. Such public bidding is a must before the procurement of said medical kits can be made. The allegation that the purchase was due to an urgent need to meet an emergency is of no moment as records show that 700 boxes of those medicines/medical kits were delivered to seven (7) senators and six (6) congressmen on different dates and occasions.

“In addition, record is bereft of any evidence of such declaration of calamity, including the names of the different provinces supposedly hit by the alleged super typhoon.

“Records further show that San Marino Laboratories Corporation and JohnTann International Pharma Corporation submitted their price quotations on November 10, 1995. Whereas, the three (3) other suppliers submitted their price quotations on November 17, 20 and December 1, 1995, pretty much late as the Memorandum of Agreements for the supply of said medical kits, between DOH-NCR and San Marino Laboratories Corporation and JohnTann International Pharma Corporation were signed on November 14, 1995. This fact clearly gives forth unwarranted benefits advantages or preference in favor of San Marino Laboratories Corporation and JohnTann International Pharma Corporation, both located in the same office/business address at No. 25 Kabignayan Street, Quezon City.

“As regards the splitting of requisitions, purchase orders, vouchers and the like, Commission on Audit Circular No. 76-41, dated July 30, 1976 is quite clear and unambiguous. It explains the three (3) forms of splitting, to wit:

- ‘1) Splitting of Requisitions consists in the non-consolidation of requisitions for one or more items needed at or about the same time by the requisitioner.
- ‘2) Splitting of Purchase Orders consists in the issuance of two or more purchase orders based on two or more requisitions for the same or at about the same time by different requisitioners; and
- ‘3) Splitting of Payment consist in making two or more payments for one or more items involving one purchase order.’

“The above-enumerated forms of splitting are usually resorted to in the following cases:

- 1) Splitting of requisitions and purchase orders to avoid inspection of deliveries;
- 2) Splitting of requisitions and purchase orders to avoid action, reviews or approval by higher authorities; and
- 3) Splitting of requisitions to avoid public bidding.

“It is noteworthy mentioning that the requisition for the 800 boxes/medical kits has a total cost of ₱12 million. Under such circumstance, procurement of medical supplies involving the same amount necessarily requires a public bidding. Upon the other hand, Section 2, Executive Order No. 301, dated July 26, 1987, provides that negotiated contracts for public services or for furnishing supplies, material or equipment involving ₱2 million pesos up to ₱10 million pesos shall be signed by the Secretary and two Undersecretaries.

“As the records have clearly shown, the procurement of the 800 boxes/medical kits were split into two transactions and categorically identified as Kit I – Community Health Care Medical Kits and Kit II – Hospital Medical Kit. Subsequently, the two (2) Memorandum of Agreements were signed on the same dates, November 14, 1995, thus awarding the contracts for the supply of 200 Hospital Medical Kits and 600 Community Health Care Medical Kits in favor of JohnTann International Pharma Corporation and San Marino Laboratories Corporation, respectively, management of said two (2) establishments belong to spouses Jonathan C. Tule and Iluminada C. Tule. Patently, the abovesited Section 2, Executive Order No. 301 was unmistakably used as a shield to avoid public bidding in the procurement of said medical kits. Moreover, a close scrutiny on the contents of these medical kits would readily reveal that the medicines obtaining therein are very much same/identical.

“Records likewise reveal that no less than the DOH-NCR Resident Auditor made audit observations that payments made to JohnTann International Pharma Corporation and San Marino Laboratories Corporation are suspended for the reasons that ‘a memorandum of agreement was made instead of the

regular purchase order/contract wherein a public bidding is conducted'; 'no acknowledgment receipt from the barangay level was attached' and 'no basis of the allocation/distribution to the Senators/Congressmen was attached on why they were the chosen beneficiaries.'

"Arguing that the cost of the subject medicines is grossly overpriced, Complainant's witness Mr. Robert Joven, Supply Officer, DOH-NCR testified that the so-called agency price estimate was based on the prices quoted/offered by Metro Drug Distribution, Inc., one of the prospective suppliers. Mr. Joven further testified that the prices of said medical kits compared with that of the prices based on the PIMS. Vol. 25, No. 2, s. 1996, the resulting price difference obtained for each item of medicine obtaining in the two (2) medical kits has amounted to ₱5,005,862.00 as shown below.

Price/kit as Quoted by Supplier	Price Based on PIMS DOH-Bid Price	Difference in Price
600 units-kit 1-₱15,000	₱8,809.48/kit	₱6,190.52
200 units-kit 11-₱15,000	₱8,542.75/kit	₱6,457.75

"Such that ₱6,190.52 multiplied by 600 units is ₱3,714,312.00 and ₱6,457.75 multiplied by 200 units is ₱1,291,550.00 or a total overprice of ₱5,005,862.00.

"These substantial evidence adequately proved that Respondents Rosalinda U. Majarais and Horacio D. Cabrera have violated the aforecited provisions of Executive Order No. 301 of July 26, 1987 and COA Circular No. 76-41 dated July 30, 1976. Such violation amounted to willful, intentional neglect and failure to discharge the duties of the office. The same acts constitute grave misconduct."

After a careful re-study of the case, I fully agree with the findings of the PCAGC. Moreover, by entering into a Memorandum of Agreement between the suppliers and herself, as representative of the DOH, respondent Majarais had arrogated unto herself even the mandated duty of the Bids and Awards Committee to award the contract to the winning bidder in the form of a Resolution of said Committee.

It is noted, however, that only Dr. Rosalinda U. Majarais, Director IV, who is under the disciplinary authority of this Office, she being a Presidential appointee. The other respondents are within the disciplinary jurisdiction of the Department Head.

WHEREFORE, premises considered, respondent Dr. Rosalinda U. Majarais is hereby found guilty as charged and, as recommended by the Presidential Commission Against Graft and Corruption, is meted the penalty of dismissal from the service. The records of the case with respect to the other respondents are remanded to Secretary Carmencita N. Reodica, Department of Health for appropriate action.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of Republic of Philippines to be affixed.

Done in the City of Manila, this 20th day of April, in the year of Our Lord, nineteen hundred and ninety eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 391
IMPOSING THE PENALTY OF REPRIMAND ON CERINA C. BOLOS, SCHOOLS DIVISION
SUPERINTENDENT (DECS) OF BOHOL

In a letter-complaint directly filed with the Presidential Commission Against Graft and Corruption (PCAGC), complainant Rodulfo Abelera charged Cerina C. Bolos, formerly Officer-In-Charge, DECS Bohol, and now School Division Superintendent, DECS Bohol, with the following: (a) using government facilities; (b) appointing and promoting various relatives and bypassing other ranking government employees; (c) causing the purchase of school desks; and (d) approving payment of the same desks and armchairs in the amount of ₱1.6 million without evidence of satisfactory inspection.

Respondent in her counter-affidavit, dated October 1, 1996, vehemently denied the charges against her stating among other things, that (a) the complainant is a fictitious person; (b) the complainant had no factual basis; (c) on the charge of “Nepotism”, the persons mentioned in the complaint were her distant relatives by affinity or consanguinity but none of them fall within the prohibited degree of relationships, and there was no abuse of authority or discretion in their appointments because they were all in accordance with law, rules and regulations of the DECS; (d) on the purchase of books from ABIVA Publishing House (Noli Me Tangere and El Filibusterismo), the same were made pursuant to DECS Order No. 6, s. of 1995. There were no other offers because ABIVA Publishing House was the exclusive publisher; (e) on the charge of causing the payment of school desks and armchairs without supporting documents, she denied the charge because it was a standard procedure in the processing of expense vouchers that the COA State Auditor pre-audited the same, checking the quantity and quality of the materials and supplies delivered; and the DECS Internal Control Unit has carefully processed the said vouchers. Respondent approved the vouchers of payment only with the initials of the State Auditor and responsible officer of the Internal Control Unit; and (f) on the charge that respondent directed and award contracts to a favored contractor, respondent specifically denied the same, stating among other things, that the notices of suspension of payment for vouchers nos. V-95-121850-2-C Filipinas, V-95-121941-Foremost Industries, and V-95-121849-Foremost Industries, were ordered lifted by the State Auditor per Certification dated October 1, 1996 (pp. 95-106, Records).

On September 11, 1997, the PCAGC ordered the respondent to explain the following findings as contained in the 1996 Annual Audit Report (AAR): (a) in addition to the “Noli Me Tangere and El Filibusterismo”, other books were purchased as supplementary materials in excess of the approved ratio on supplementary materials in violation of DECS Order No. 61, s. of 1995; (b) discount on the 1996 purchase of textbooks and instructional materials of 5-10% was not availed of; (c) withholding tax was not deducted from the claims of fourteen (14) suppliers; (d) that disbursement vouchers for the payment of the desks and armchairs were approved and paid despite the absence of evidence that the items were inspected; (e) that the two (2) contracts for the purchase of the armchairs did not provide for the inspection of liquidated damages for late delivery.

In respondent’s “Explanation” dated October 29, 1997, all the five (5) findings contained in the 1995 Annual Audit Report (AAR) were controverted to the satisfaction of the PCAGC.

As regards the use of government facilities, personnel and equipment for the reunion of her husband's family, respondent admitted the same and justified it by contending (a) that the affair was only for one (1) day; (b) that since the day was a Saturday, classes were not disrupted; (c) that permission of the head of the school was sought and granted; (d) that no school property was damaged; and (e) that the building and school premises were cleaned after the affair.

Hence, of the explanation given, the PCAGC found respondent to have violated Sec. 3 (e) of Republic Act No. 3019, as amended, otherwise known as the Anti-Graft and Corrupt Practices Act.

We do not agree with the findings of the PCAGC. It should be noted that one of the essential elements of the offense of corrupt practices committed by public officers is that they cause undue injury to any party (Mediga, Jr. vs. Sandiganbayan, 218 SCRA 219). A perusal of the records would show that this element of injury to the government or to any party, for that matter, resulting from respondent's acts, is manifestly absent. It has been sufficiently shown that there was no disruption of classes as a result of respondent's use of the school grounds. Nor was there any proof of damage to school property caused by said acts of respondent.

At best, therefore, respondent may be found guilty of impropriety in the use of government property. However, such impropriety is not enough to make her liable for a violation of the Anti-Graft law.

WHEREFORE, in view of the foregoing, Cerina C. Bolos, Schools Division Superintendent, DECS of the Province of Bohol is hereby reprimanded with a warning that a repetition of the same improper conduct will be dealt with more severely.

Done in the City of Manila this 22nd of April, in the year of our Lord, nineteen hundred and ninety eight.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) ALEXANDER P. AGUIRRE

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 392

ENJOINING ALL DEPARTMENTS, BUREAUS, GOVERNMENT-OWNED AND/OR-CONTROLLED CORPORATIONS, GOVERNMENT FINANCIAL INSTITUTIONS, LOCAL GOVERNMENT UNITS AND OTHER AGENCIES TO PROMOTE AND ENCOURAGE PARTICIPATION IN THE PHILIPPINE CENTENNIAL EXPOSITION 1998 OR EXPO PILIPINO, INCLUDING ITS “EXPO PILIPINO FAMILY DAY” PROGRAM

WHEREAS, Executive Order No. 128, series of 1993, and Executive Order No. 312, series of 1996, mandated the creation and holding of an exposition to commemorate and celebrate the centennial of the declaration of Philippine independence;

WHEREAS, pursuant to the above-mentioned Executive Orders, the National Centennial Commission (NCC) organized and established the Philippine Centennial Exposition 1998 or Expo Pilipino, which will feature Philippine arts, culture, foreign relations, achievements in economics, trade and business, to be held at the Clark Special Economic Zone;

WHEREAS, the Expo Pilipino Corporation (EPC) was formed to manage and operate the exposition; and

WHEREAS, to ensure the success of the exposition, the NCC and EPC have developed the “Expo Pilipino Family Day” Program;

WHEREAS, the program is aimed at providing every Filipino and his family the opportunity to visit the Expo Pilipino to further cultivate their understanding and appreciation of Philippine arts, culture and achievements thereby enhancing their sense of nationalism and patriotism;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order all heads of departments, bureaus, agencies, government-owned and/or-controlled corporations (GOCCs), government financial institutions (GFIs) and local government units (LGUs) to promote and encourage participation in the Philippine Centennial Exposition 1998 or Expo Pilipino, including the “Expo Pilipino Centennial Family Day” Program, as follows:

Section 1. The Civil Service Commission (CSC) shall initiate, implement and undertake appropriate measures to enable all government workers in the country to avail of a special three-day Centennial Leave with pay at any time from 6 June 1998 through 15 June 1999, to allow them and their families to visit and take part in the exposition.

The Department of Labor and Employment (DOLE) shall initiate and devise mechanisms to encourage private sector enterprises in granting similar benefits to their employees in the spirit of nationalism.

Sec. 2. The Department of Education, Culture and Sports (DECS), the Commission on Higher Education (CHED) and the Technical Education and Skills Development Authority (TESDA) shall implement, initiate and undertake a parallel program to enable all students in the country to likewise

avail of and be entitled to a three-day Centennial Educational Credit at any time from 6 June 1998 through 15 June 1999 to allow them and their families to visit and take part in the exposition.

Sec. 3. All departments, bureaus, GOCCs, GFIs, LGUs and other agencies shall coordinate directly with EPC for the details and scheduling of the “Expo Pilipino Family Day” Program.

Sec. 4. All departments, agencies, offices, GOCCs and LGUs shall provide cooperation and assistance necessary to give effect to this order. For this purpose, they shall issue the appropriate guidelines necessary to implement the objectives of herein order.

Sec. 5. All departments, bureaus, GOCCs, GFIs, LGUs and other government agencies shall submit to the NCC a monthly report on the status of implementation of the “Expo Pilipino Family Day” Program.

Sec. 6. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 4th day of May, in the Year of Our Lord Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) ALEXANDER P. AGUIRRE

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 393

DISMISSING FROM THE SERVICE MACORRO MACUMBAL AND ROBERTO DE VERA, REGIONAL EXECUTIVE DIRECTOR AND REGIONAL TECHNICAL DIRECTOR, RESPECTIVELY, OF DENR REGION IX, ZAMBOANGA CITY, FOR GRAVE MISCONDUCT, DISHONESTY, GROSS NEGLECT OF DUTY, INEFFICIENCY, INCOMPETENCE IN THE PERFORMANCE OF OFFICIAL DUTIES AND CONDUCT PREJUDICIAL TO THE BEST INTEREST OF THE SERVICE

Before this Office are administrative complaints filed against respondents Macorro Macumbal and Roberto de Vera, Regional Executive Director and Regional Technical Director, respectively, of DENR Region IX, Zamboanga City for alleged grave misconduct, dishonesty, gross neglect of duty, inefficiency, incompetence in the performance of official duties and conduct prejudicial to the best interest of the service.

In view of the gravity of the charges leveled against them, respondents were formally charged and placed under preventive suspension for ninety (90) days while the charges against them were investigated and heard.

It should be noted that respondents are presidential appointees.

Respondent Macumbal was charged for approving the Integrated Annual Operation Plan (IAOP) of Siari Timber Co., Inc. (Siari), on April 29, 1995 even before the members of the Regional Review Committee could affix their signatures on May 11, 1995, which appeared as wanton disregard of the basic requirements before a licensee could resume operations in second growth forests prescribed under existing forestry rules and regulations, particularly DENR Administrative Order (DAO) No. 24, Series of 1991. Macumbal was also charged with gross misrepresentation by claiming that the temporary allowable cut of 9,560 cu. m. granted to Siari was based on a 10% timber inventory previously conducted in the area despite knowledge that the composite forest inventory team created under DENR Special Order No. 564 dated May 22, 1995 has yet to complete its field work.

Both respondents, Macumbal and De Vera, were further charged for failing, as accountable officers, under DAO No. 12, Series of 1992, to exercise adequate supervision of the logging operations of Siari, thereby abetting the gross violations committed by said company, such as: (1) cutting of almaciga which is a prohibited species; (2) cutting timber before approval of IAOP; (3) cutting undersized trees; (4) farming-out its license to Vicmar and Findlay-Miller; (5) failure to employ a registered forester on full time basis; and (6) violations of existing forestry laws and regulations.

For his defense, respondent Macumbal in his Answer, which facts were reiterated in his direct testimony, alleged that he had been in the government service for the last thirty one (31) years as Forester, Assistant District Forester, Regional Director and lastly Regional Executive Director of Region IX up to the time of his suspension. Respondent also claims to hold a Bachelor of Science in Forestry and Masteral Degree in Forestry from the University of the Philippines at Los Baños.

Respondent Macumbal stated in his Answer that sometime in February 1995, the Office of the DENR Secretary through Atty. Cedrick Ruiz informed him that then Secretary Angel C. Alcala gave

him authority to grant Temporary Allowable Cut (TAC) of not more than Ten Thousand (10,000) cubic meters of timber to Siari. Allegedly, the same respondent countered with the fact that there was no such company in the region. Furthermore, he allegedly told Ruiz that he could not implement any action unless ordered by Secretary Alcala in black and white.

Macumbal, too, claimed that after an alleged conversation over the phone and apprehensive over the repercussion of allowing a nine (9) year idle TLA to resume operations, especially at a time nearing elections, respondent looked for the files of Siari and discovered a Memorandum dated November 21, 1994 of then Secretary Angel Alcala informing the OIC-RED of DENR, Region IX, Zamboanga City, to the effect, that TLA No. 185 of Siari was deemed VALID and SUSBSISTING. He subsequently received the March 1, 1995 memorandum of Secretary Alcala giving him an authority to grant Temporary Allowable Cut (TAC) to Siari of not more than 10,000 cubic meters, pending the conduct of a 10% inventory over residual forest Block I inside the TLA area of the Company, subject to certain conditions. To respondent Macumbal, his understanding of Condition No. 3 was that it referred to the Regular Annual Operations Plan required of TLA holders to cover yearly operations and not a plan for the Temporary Allowable Cut (TAC). It could not refer to any other plan because a subsequent reading of the other conditions, like Condition No. 1, specifically authorized a TAC to be good only for six (6) months and Condition No. 2 requires that the TAC should form part of the sustained annual allowable cut (AAC) based on the result of the ten percent (10%) inventory. Besides, the IAOP under Condition No. 3 has yet to be prepared, since the Inventory Team created by the Office of the Secretary had not yet completed its inventory.

Anent the charge of approving the IAOP of Siari on April 29, 1995 and even before the members of the Regional Review Committee could finally affix their signatures on the Approval Sheet of the IAOP on May 11, 1995, respondent Macumbal advanced the position that what he approved was not the Integrated Annual Operations Plan or IAOP of the company but a Temporary Integrated Operations Plan or TIOP. To bolster his defense, he likewise claimed that the TIOP was different from the IAOP, wherein the former refers to the grant of temporary allowable cut or TAC.

Respondent Macumbal stood firm that there was an honest mistake in the designation of the date of the approval of the plan. And that after the Regional Review Committee had deliberated on the TIOP of Siari, the same was presented to him for approval. RTD Roberto de Vera, who was the Chairman of the Regional Review Committee, in a communication dated April 28, 1995, informed him of this fact and wrote: "Should you concur, attached is the approval letter of the aforesaid plan for your signature." Respondent Macumbal, after reviewing the approved letter, discovered that it did not contain the Approval Sheet and the computation of the allowable cut. Hence, he returned the folder containing the plan. On May 11, 1995, it was presented to him again and after having found that his instruction was complied with, he signed the Approval Sheet and the letter earlier presented to him with the original date (April 27, 1995) left unchanged. The Approval Sheet would show that he signed the same on May 11, 1995.

As to the charge of gross dishonesty for allegedly making a false claim that a 10% timber inventory was previously conducted, respondent Macumbal alleged that it was premised on the fact that the TIOP which was presented by the Regional Review Committee contained a Stand and Stock Table. That this document, among others, bore the signatures of the Timber Management Officer of CENRO Dipolog, the Chief, Timber Management Section, Regional Office and a Registered Forester. Hence, he found no reason to doubt the authenticity of these documents and the signatures of the DENR officials adverted to above.

Respondent Macumbal likewise claimed that he personally asked the RTD for Forestry if there was an actual inventory conducted and was allegedly informed that there was indeed an inventory;

that RTD de Vera likewise informed him that there was a tally sheet as shown by a series of indorsements. Moreover, Timber Management Officer Romeo C. Tala, on April 18, 1995 cited that the plan was prepared following DAO 24, Series of 1991, and DENR Memorandum Order No. 8, dated July 4, 1991. In addition, respondent Macumbal contended that Provincial Environment and Natural Resources Officer Hilarion Ramos in his 3rd indorsement dated April 21, 1995 certified that he checked, reviewed and found the same to be in conformity with Department Administrative Order No. 12, series of 1992.

Respondent Macumbal further emphasized that the prepared plan, which was approved by him, was different and distinct from the IAOP. Furthermore, Condition Nos. 1 and 2 contained in the March 1, 1995 Memorandum of former Secretary Angel C. Alcala clearly showed that the TAC was for six (6) months only and that this will form part of the sustained AAC to be computed based on the result of the ten (10) percent inventory. He also claimed that the inventory, which he mentioned to have been conducted previously as evidenced by the cited documents and which became the basis for the Stand and Stock Table, was only made for the purpose of the Temporary Integrated Operation Plan (TIOP) and the grant of the TAC to Siari and not the inventory required for the grant of a regular IAOP.

Allegedly prescinding from the foregoing circumstances, respondent Macumbal informed then Secretary Angel Alcala that a 10% inventory was conducted previously over the area.

As to the charge of gross neglect of duty resulting from his failure to exercise adequate supervision over the logging operations of Siari, he answered that he could not personally supervise the day-to-day logging activities of every timber licensee in his jurisdiction. He claimed that this was the function of his subordinate officials like the RTD for Forestry, the PENRO and CENRO, who were assigned in the field and more directly involved in the operations of the licensees under the jurisdiction of the DENR. He further claimed that he did not receive any adverse reports on the activities of Siari from the CENRO, PENRO or the RTD. Reports from certain groups based in Dipolog City that Siari was conducting illegal activities were relayed to him by USec. Virgilio Marcelo by telephone and he alleged to have acted immediately. Macumbal also said that he ordered the relief of CENRO Edgardo Callanta and required PENRO Hilarion Ramos to explain within seventy-two (72) hours why the latter should not be relieved and/or charged for being remiss in the performance of his official duties. On June 16, 1995, he stopped the logging operations of Siari until their Operation Plan is reviewed and approved by the Central Office with the designated area of operations delineated on the ground. Respondent likewise stated that in compliance with the Memorandum of Secretary Victor O. Ramos dated July 25, 1995 revoking the authorization of TAC and ordering the stoppage of all preparatory activities and logging operations of Siari, he directed the CENRO of Dipolog City on August 2, 1995 to implement the Order of the Secretary.

On the charge that respondent RTD de Vera failed to exercise adequate supervision of the logging operations of Siari resulting in gross violations committed by said company, such as: “cutting of *almaciga* which is a prohibited species; cutting timber before the approval of the IAOP; cutting undersized trees; farming-out its license to Vicmar and Findlay-Miller; failure to employ a registered forester on full time basis, etc., all in violation of existing forestry laws, rules and regulations which omission constitutes gross neglect of duty and/or inefficiency and incompetence in the performance of official duty and/or conduct grossly prejudicial to the best interest of the service”, respondent de Vera alleged in his answer, which he reiterated in his testimony, that it was caused by the approval by the Regional Review Committee of the DENR, Region IX, Zamboanga City of the IAOP for 1995 of Siari on May 6 and 11, 1995. To respondent de Vera, the same caused the irregular resumption of logging operations of said company, without taking into account the essential conditions prescribed

under existing forestry laws and regulations, particularly DAO 24 and DMO 8, both Series of 1991, and DAO 12, Series of 1992, before a licensee could resume operations.

Respondent de Vera further stressed that, from the start, he was against the resumption of Siari's logging operations without the latter having first obtained its IAOP and having the same approved by the DENR-Central Officer on the basis of the following reasons, to wit:

a) There was no ten percent (10%) inventory made on Block I, by duly authorized representatives, per rules and regulations as basis to prepare the Integrated Annual Operations Plan; and

b) He received reliable information that Siari intended to farm-out its timber license which he knew was a gross violation of the existing DENR laws, rules and regulations.

Respondent de Vera further testified that he did not sign the Approval Sheet which was passed around the members of the Regional Review Committee on May 6 and 11, 1995; that he insisted that the final copy of the said IAOP be sent to the DENR Secretary for further review and approval, considering that, as shown by the records, Siari was not engaged in continuing logging operations, and thereby should be treated as a new one, in accordance with past practices.

Respondent de Vera nonetheless clearly admitted that something was then wrong somewhere. And that, if there is anybody to be blamed, it should be Siari as there appeared a reasonable ground to believe that the company should be liable including the DENR field officers who failed to stop the alleged logging operations in the area without an IAOP finally approved by the DENR Secretary.

Respondent de Vera further alleged that before the subject IAOP was submitted to the Regional Office for deliberation, he confronted one Rodrigo Kwan, the General Manager-Owner of Siari, in the presence of CENRO Callanta, PENRO Ramos and several of his staff concerning the rumor being spread that he was looking for the highest bidder to operate his areas.

Respondent de Vera said that Rodrigo Kwan vehemently denied the alleged rumor. He assured respondent de Vera that he will be the one to personally operate the area in accordance with DENR laws, rules and regulations. To further placate de Vera, Rodrigo Kwan was said to have written a letter to DENR-Region IX dated March 17, 1995 reiterating that he had not authorized anybody to transact business with the Regional Office, relative to the operations of Siari.

Respondent de Vera also said that his fears that a case will be lodged against him happened. Faced with a formal charge before the DENR investigation committee, he now claims that never did his Office receive any report on the alleged illegal logging activities conducted inside the Siari area. Quoting Supreme Court decisions, he alleged that he could not be held liable for any action of which he had not been made aware of. "Absence of relative information", his power of control and supervision over his subordinates could not be properly exercised. He further contended that there was nothing to alter, modify or nullify or set aside in any subordinate officer's acts in the performance of their duties and thereby substituting judgment of his own. He did not see these subordinate officers perform their duties, and if they failed or neglected to do the same, then he could have taken some actions or steps as prescribed by law to make them perform their duties. (*Mondano vs. Silvosa*, 51 O.G., No. 6, p. 2884; reiterated in *Ganzon vs. Court of Appeals*, 200 SCRA 271, 283). According to him, in the hierarchy of the DENR organization, the "Regional Technical Director (RTD) cannot be held liable for the problems and responsibilities of lower officers, if these were not properly presented to him nor was he consulted therefor". Respondent de Vera likewise submitted that he had no obligation to investigate matters not reported to him, nor does the RTD have the power to personally attend to the day-to-day problems of the lower officers encountered in the field by subordinate officers."

Respondent de Vera further argued that he was not remiss in his duties, nor grossly neglectful, incompetent, much less guilty of grave misconduct. Technically, grave misconduct refers to a serious transgression of some established and definite rule of action and implies a wrongful intention and

not mere error of judgment. Allegedly, these charges could not prosper against him in the absence of reliable evidence showing that his acts were corrupt or inspired by an intention to violate the law, or were in persistent disregard of well-known legal rules. Absent any showing of these manifestations, as in the case at bar, the charges against him should be dismissed outright. (*Betguen vs. Masangcay*, 238 SCRA 475; *Babatio, etc. vs. Tan, etc.*, Adm. Mat. 265-MJ, 22 January 1988, *Amoso vs. Magro* 73 SCRA 107).

To judiciously resolve the case at bar, the following discussions are deemed instructive on the matter.

A Timber License Agreement (TLA) is the privilege granted by the DENR to a person or corporation to utilize timber within a specified portion of forest land for a period of up to 25 years, renewable for another 25 years, with the right of possession and occupation thereof, but with the obligation to develop, protect and rehabilitate the same. This is provided for under Forestry Administrative Order (FAO) No. 11, known as the “Revised Forestry License Regulations,” its subsequent amendments on the timber license agreement issued. All TLA holders must engage in selective logging. It is likewise required that all forest developmental activities within areas covered by timber concession i.e.: logging, reforestation, timber stand improvement, forest protection and delivery of community services are consolidated under one plan called the Integrated Annual Operation Plan (IAOP).

Since the start of the organized and controlled utilization of forest resources in the Philippines in 1863, with the establishment under the Spanish Government of the Inspector General de Montes under the Direction General de Administracion Civil up to the present, the consistent practice has been to require an Operation Plan (OP) now called Integrated Annual Operation Plan (IAOP) before a logging company can start operation. And, this is so required to ensure the orderly and planned utilization of forest resources.

Consistent with DAO No. 24, Series of 1991, shifting logging from the Old Growth (Virgin) Forest to the Second Growth (Residual) Forest, as implemented by DENR Memorandum Order No. 8, Series of 1991, logging operations in the Old Growth Forests ceased as of December 31, 1991. Existing TLAs are allowed to continue their logging operation only after a 10% inventory of its resources has been conducted. Only those that have at least 1,200 hectares of 25 year old residual forests or an average of 67 cu. m. of harvestable volume indicated in the approved Management Plan, whichever is lower, are allowed to continue operations.

In accordance with DMO No. 8, Series of 1991, before a 10% timber inventory is ever conducted in the residual forest of an existing TLA, the following activities among others, shall first be undertaken:

1. Delimitation of non-production forests on the official concession map (FCI) of the TLA;
2. Management blocks in the second growth forests shall be stratified/blocked depending upon the years elapsed after logging (YEAL). The management blocks shall be determined by the RED and TLA holders, including the location of the non-production forests. These data shall be indicated on a white print copy of the concession map to be submitted to the USEC for Field Operations;
3. Determination of the preliminary soil cover map (PSCM) within the different management blocks from the forest resources condition maps prepared in 1969 and 1985 by the Forest Management Bureau. Likewise, the slope gradient of 50% and greater and elevation of 1,000 meters and higher within the management blocks shall be determined from the 1:50,000 topographic map and indicated on the concession maps. The second growth forest areas with less than 50% slope and less than 1,000 meters in elevation shall form part of the operable second growth forests; and

4. Determination of the existence of at least ONE THOUSAND TWO HUNDRED (1,200) hectares of operable second growth forests in each management block which is the basis of determining whether the forest resources inventory within the production forest of TLAs shall be conducted or not.

A 10% timber inventory shall only be conducted in accordance with established procedures in the residual forest of a concession area if the foregoing requirements shall be satisfied or complied with. The result shall be the basis for the preparation of the IAOP of a TLA holder.

IAOPs represent an essential part of the forest utilization aspect for they are guides to the orderly extraction of wood materials from the working unit. In the case of Siari, however, the submitted IAOP approved by respondent Macorro Macumbal and endorsed by respondent de Vera were not prepared in accordance with prescribed procedures. A thorough review and evaluation of the IAOP approved by RED Macumbal reveal that it was defective and incomplete. The non-observance of the required procedure was too glaring to be ignored and could not be passed off as an honest mistake. The procedural missteps or lapses, attributable to RED Macumbal are as follows:

1. Non-production forests, pursuant to Item 3.1. of DMO No. 8, Series of 1991, have not been delimited on the official concession map (FCI) of Siari;

2. The second growth forests have not been stratified/blocked depending upon the years elapsed after logging (YEAL) as required under Item 4 of DMO No. 8;

3. The management blocks have not been determined and indicated on a white print copy of the concession map of Siari as required under Item 4.1. of DMO No. 8;

4. The Preliminary Soil Cover Map (PSCM) required under Item 5 of DMO No. 8 has not been prepared. The soil cover within the different management blocks were not determined from the forest resources condition maps prepared in 1969 and 1985 by the Forest Management Bureau. The slope gradient of 50% and greater and elevation of 1,000 meters and higher within the management blocks from 1:50,000 topographic map were likewise not indicated in the concession map of Siari;

5. The minimum area requirement of ONE THOUSAND TWO HUNDRED (1,200) hectares has not been determined and a 10% inventory within Block I has not been conducted by a Composite Forest Inventory Team composed of Foresters from FMB, NAMRIA, DENR, Field Office, as required under Item 2.4 of DMO NO. 8, as basis for determining whether Siari met the minimum volume requirement of 67 cu. per hectare whereby it can economically and sustainably develop and utilize the forest resources within its concession area; and

6. The Stand and Stock Table attached to the IAOP of Siari was not accompanied by a report subscribed and sworn to by the forest officers who conducted the timber inventory required under Sec. 41 of P.D. 705, otherwise known as the Revised Forestry Code of the Philippines.

A review of the records would tend to show that respondent Macumbal relied on the signatures of his personnel affixed to the stand and stock table without having first verified whether indeed a timber inventory was conducted by DENR personnel, as required under DMO No. 8 including a **sworn** report by the forest officers concerned pursuant to Sec. 41 of P.D. 705, as amended. As it turned out, the timber inventory that served as basis in the grant of a TAC in favor of Siari was conducted solely by the company, which is not only self-serving, but considered a blatant violation of the provisions of DMO No. 8.

Even respondent de Vera explicitly admitted in his Answer and his subsequent testimony that the IAOP was prepared in violation of existing law, rules and regulations of the Department of Environment and Natural Resources (DENR).

Respondent Macumbal also admitted having been in the government service for 31 years. As a matter of fact, he holds a Master's Degree in Forestry from the University of the Philippines. There is no question that he knew that his approval of the IAOP of Siari was highly irregular. In a desperate attempt to justify his action or inaction, he introduced a new term - - "Temporary Integrated Operations Plan," a term unheard of and alien to his training as a forester. This is because a TIOP, as suggested by him, is the antithesis of an IAOP. Otherwise, acceding to his terminology would sanction the violation of the procedures set by law for the orderly utilization of our forest resources.

RED Macumbal being then the highest ranking DENR official in Region IX, was the alter ego of the DENR Secretary. As such, he stands accountable for anything that goes wrong within his administrative jurisdiction. Respondent Macumbal in his Answer and subsequent testimony clearly admitted that he was aware that Siari was non-operational for about nine (9) years. He also admitted that his Office did not have an existing record of Siari. Moreover, he was fully aware that his RTD did not sign the approval sheet of the IAOP of Siari. These circumstances should have prompted him to be more prudent and circumspect in his action before allowing the company to operate. Prudence dictates that he should have at least informed the DENR Secretary of the prevailing conditions relative to the TLA of Siari.

Respondent de Vera in his Answer and in his testimony before the Investigating Committee admitted that there was something wrong with the IAOP of Siari. To him, this was the reason he did not sign the approval sheet. Despite full knowledge of its infirmity, he nonetheless endorsed the same. He likewise admitted that his suspicion that Siari farmed out its license to cut in favor of Vicmar and Findlay-Miller turned out to be well-founded. As testified by respondent Macumbal, de Vera being an RTD, should know or is supposed to know the violations that was being committed by Siari on its TLA. Yet, through his inaction, he failed to prevent the approval of Siari's illegal operations.

Public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with the utmost responsibility, integrity, loyalty and efficiency and with patriotism and justice and live modest lives. (Section 1, Art. XI, Constitution; Section 32, Chapter 9, Book I, Administrative Code of the Philippines) No subordinate officer or employees shall be civilly liable for acts done by him in good faith in the performance of his duty. However, he shall be liable for willful or negligent acts done by him which are contrary to law, morals, public policy and good customs even if he acted under orders or instructions of its superior (Sec. 39, Chapter 9, Book I, Administrative Code of the Philippines). Respondent's misconduct, misfeasance, or malfeasance in the performance of his official duties consisting of dishonesty, inefficiency and incompetence in the performance of official duties and conduct prejudicial to the best interest of the service are grounds for dismissal under Section 11 (b), pars. 1, 8 and 27, Civil Service Law (P.D. 807) (*Unknown Municipal Councilor of Domingo, Nueva Ecija v. Almonioa*, 212 SCRA 330)

Respondents' major errors and misdeeds committed in the discharge of their duties and responsibilities have caused the irregular re-opening of the logging operations of Siari. Worse, it resulted in gross violations of forestry laws and regulations committed by said company, such as: "cutting of *almaciga* which is a prohibited species; cutting timber before the approval of the IAOP; cutting undersized trees; farming-out its license to Vicmar and Findlay-Miller; failure to employ a registered forester on full time basis, etc., all in violation of existing forestry laws, rules and regulations. They constitute grave misconduct, dishonesty, gross neglect of duty, inefficiency and incompetence in the performance of official duties and/or conduct grossly prejudicial to the best interest of the service.

In view of the foregoing considerations, the recommendation for the DISMISSAL of respondents Regional Executive Director Macorro Macumbal and Regional Technical Director Roberto de Vera from the service is hereby approved.

So ordered.

Manila, Philippines. APR 27 1998

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) ALEXANDER P. AGUIRRE

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 394
IMPOSING THE PENALTY OF REPRIMAND ON AMBASSADOR FORTUNATO D. OBLENA OF
THE DEPARTMENT OF FOREIGN AFFAIRS

This refers to the administrative complaint filed *motu proprio* by the Department of Foreign Affairs against Ambassador Fortunato D. Oblena for falsification of public documents, misrepresentation, and conduct unbecoming of an Ambassador in connection with the invalid adoption by Amb. Oblena of his son, Brigido Oblena, age 6.

To ascertain the veracity of the allegations against Amb. Oblena and to correct any violations of law which may have been committed by Amb. Oblena and other concerned individuals, the Department of Foreign Affairs requested the Office of the President for a Presidential Authority to investigate the aforementioned allegations against Amb. Oblena pursuant to the provisions of Section 51 of R.A. 7157 (Foreign Service Act of 1991);

Upon the grant of the Presidential Authority to investigate, the Department constituted a Fact-finding Mission to determine whether or not a *prima facie* case exists against Amb. Oblena in connection with the aforementioned allegations;

The Fact-finding Mission headed by Undersecretary Leonides T. Caday with Mr. Generoso Calonge, Career Minister, and Mr. Henry Bensurto, FSO II, as members, proceeded to the Middle East to examine the allegations against Amb. Oblena and to secure pertinent documents relating the allegations;

The Fact-finding Team reported to the Secretary of Foreign Affairs that “based on its examination of the persons involved in or have knowledge of the case as well as the pertinent documents on the matter, there is reasonable ground to believe that Amb. Oblena has committed the offenses of falsification of public documents, misrepresentation, and conduct unbecoming of an Ambassador under Section 46, Chapter 7, Title I, Book V of E.O. 292 (Revised Administrative Code of 1987) in connection with his alleged adoption of his supposed adopted son, Brigido.”

The Department of Foreign Affairs lodged formal administrative charges against Ambassador Fortunato D. Oblena, dated 23 January 1998, for falsification of public documents, misrepresentation, and conduct unbecoming of an Ambassador stemming from the alleged invalid adoption of Amb. Oblena of a child named Brigido and the Ambassador’s false declarations concerning Brigido’s paternity;

In his answer to the Formal Charges dated 11 February 1998, Amb. Oblena admitted to the irregularity in the adoption of his ward, Brigido, and manifested that such was due not to any malicious intent on his part to falsify documents or to commit any acts of misrepresentation, but mainly to his desire to provide the proper care and support to Brigido who had been abandoned by his biological parents and because of the improper legal advice extended to him by his former lawyer;

Amb. Oblena further informed the Department that he does not elect a formal investigation and hearing of the case but is submitting the case for resolution based on existing records;

Ambassador Oblena informed the Department that he filed a formal petition for the adoption of Brigido with the Regional Trial Court of Quezon Province where hearings regarding the special proceeding for adoption are currently on-going;

Amb. Oblena has taken the necessary steps to secure new documentations for Brigido, including, the cancellation of the latter's diplomatic passport and the issuance of a new passport;

The Board of Foreign Service Administration at its Regular Meeting No. 02-98 agreed en banc to recommend that Amb. Oblena be admonished in connection with the administrative case lodged against him in view of his explanation that he was provided with the incorrect legal advice and his having adopted Brigido mainly out of sincere desire to assist a fellow Filipino, furthermore, that he has undertaken the proper legal steps to lawfully adopt Brigido;

Upon an examination of the records of the case and in view of the recommendations of the Board of Foreign Service Administration, the Secretary of Foreign Affairs adopted the Board's position on the matter;

In view of the above findings as well as of the need to convey a clear reminder to all government officials and employees to be more circumspect in their actuations, especially when third parties are affected, the Secretary of Foreign Affairs recommended that the penalty of REPRIMAND be imposed on Ambassador Oblena in connection with the above charges for falsification of public documents, misrepresentation, and conduct unbecoming of an Ambassador.

We concur with the findings of the Secretary of Foreign Affairs.

WHEREFORE, premises considered, respondent Fortunato D. Oblena, Chief of Mission II, is hereby found guilty as charged. Accordingly the penalty of reprimand is hereby imposed and is further directed to:

(1) submit to the Department periodic reports on the status of the adoption proceedings concerning Brigido;

(2) provide the Department with a certified true copy of the final decree of adoption of Brigido if and when said decree is issued by the court; and

(3) exercise caution and care in future undertakings of a similar nature.

Done in the City of Manila, this 8th day of May, in the year of Our Lord, nineteen hundred and ninety eight.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) ALEXANDER P. AGUIRRE

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 395
IMPOSING THE PENALTY OF SUSPENSION FOR ONE (1) MONTH ON ASSISTANT CITY
PROSECUTOR EDUARDO R. GARCIA, OFFICE OF THE CITY PROSECUTOR, PASIG CITY

This refers to the formal administrative charges filed motu proprio by the Department of Justice against Asst. City Prosecutor Eduardo R. Garcia of the Office of the City Prosecutor, Pasig City, for neglect in the performance of duty, upon complaint of P/Insp. Reynaldo Baral, SPO4 Antonio Llagas and SPO1 Oscar de la Cruz, which complaint was endorsed to said Department by the Honorable Secretary Robert Z. Barbers of the Department of Interior and Local Government.

The complaining police officers allege that respondent prosecutor Eduardo Garcia hastily dismissed on September 12, 1996, after the conduct of an inquest three (3) days earlier, the complaints which they filed against one Jaime Batimana and Delia Perez for violation of Sections 15 and 16, Article III of Republic Act No. 6425 (The Dangerous Drugs Act) and violation of Article 212 of the Revised Penal Code (corruption of public officials) despite the strong evidence which they submitted.

It appears that last September 6, 1996, Jaime Batimana, an “identified drug lord” was arrested by the complaining officers for delivering almost one (1) kilo of shabu. At the jail, Batimana was visited by his housemaid, Delia Perez, who delivered P100,000.00 to Batimana, who in turn offered the money to the police officers in exchange for his release. On the basis of these incidents, complaints were filed by the complaining officers against Batimana and Perez before the City Prosecutor’s Office, Pasig City.

Respondent Garcia herein, who conducted the inquest on September 9, 1996, dismissed the complaints on September 12, 1996 for insufficient evidence and ordered the release of Batimana and Perez on the same day. Hence, the filing of an administrative complaint by herein complainants against respondent Garcia before the Department of Justice for conduct prejudicial to the best interest of the service.

After a thorough evaluation of the records, the Department of Justice found a prima facie case to hold respondent Garcia administratively liable, not for conduct prejudicial to the best interest of the service, but for neglect in the performance of duty for having failed to secure the approval of the City Prosecutor of Pasig City in dismissing the complaints against Batimana and Perez as required by Section 9, of the DOJ Circular No. 61, s. 1993, which states in part:

“Section 9. Where Arrest Not Properly Effected. - Should the Inquest Officer find that the arrest was not made in accordance with the Rules, he shall:

- a) recommend the release of the person arrested or detained;
- b) note the disposition on the referral document;
- c) prepare a brief memorandum indicating the reasons for the action taken;

and

- d) forward the same together with the record of the case to the City Prosecutor for appropriate action.” (underscoring supplied) xxx.

A formal administrative investigation was thus conducted by a panel of prosecutors. Before said panel, respondent Garcia manifested that the issue on whether or not he failed to secure the approval of the City Prosecutor in dismissing the complaints against Batimana and Perez has been “squarely treated and discussed” in his answer dated November 7, 1996 and moved that the case be submitted for resolution.

In his answer dated November 6 (not 7), 1996, respondent Garcia avers that the dismissal of the complaints were justified and in accordance with the New Rules on Inquest (DOJ Circular No. 61, series of 1993) and that his authority to act for and in behalf of the City Prosecutor is fully supported by Office Order No. 96-063 dated August 5, 1996 of the Office of the City Prosecutor, Pasig City.

On April 4, 1997, the panel of prosecutors which conducted the formal investigation recommended that respondent be reprimanded only, with a stern warning that repetition of the same offense shall be dealt with more severely, having found merit in respondent Garcia’s allegation that he had authority to dismiss cases on inquest even without the approval of the City Prosecutor pursuant to Office Orders Nos. 96-035 and 96-063. The panel pointed out that the only transgression committed by respondent prosecutor Garcia was that he failed to indicate the authority given and delegated to him pursuant to said office orders which gave the impression that he acted without authority.

A careful reading however of both Office Orders, specifically Office Order No. 96-063, shows that respondent Garcia is only authorized to approve, on behalf of the City Prosecutor, resolution of cases “under his review” recommending dismissal of the complaint or further investigation of the case and the corresponding release order after inquest proceedings, and the City Prosecutor is not available or out of the Office.”

It appears that I.S. No. T66 96-3847 was directly assigned to respondent Garcia for inquest and was not passed on to him for review. Thus, Office Orders No. 96-035 and 96-063 will not apply. Accordingly, respondent Garcia failed to secure the City Prosecutor’s authority to dismiss the complaints against Batimana and Perez and to subsequently order their release.

Moreover, Section 9(c) of the New Rules on Inquest mandates that the inquest officer shall prepare a brief memorandum indicating the reasons for the action taken. No such brief memorandum was prepared as required by the rules. Instead, respondent issued a resolution dismissing the complaint sans the approval of the City Prosecutor.

While it may be true that the City Prosecutor, in his memorandum-status report dated September 20, 1996, supported the disposition of respondent Garcia in dismissing the cases against Batimana and Perez, said status report is not the “approval” required by the rules. Besides, the report was issued eight (8) days later after accused Batimana and Perez were released from detention.

It also appears that respondent Garcia has not shown any evidence to show that he has complied with the requirements of the Office Orders that is, by submitting a memorandum stating the circumstances as to why he had to approve his own resolution dismissing the complaint and ordering the release of Batimana and Perez and the fact that he thereafter immediately forwarded the record of the case to the City Prosecutor of Pasig City as required by the rules.

In the light of the foregoing circumstances, we concur with the Secretary of Justice that respondent Garcia neglected his duty in first securing the approval of the City Prosecutor of Pasig City before dismissing the complaints against Batimana and Perez and before releasing the latter from detention as required by the Rules on Inquest. We agree that such requirement should not be lightly dispensed with, specially in dealing with serious offenses like drug-related cases which is one of the focal points of the government’s drive against criminality.

While the City Prosecutor may have concurred with the action taken by respondent prosecutor several days later, it is apparent that the latter had already committed an infraction which would have been grievous if the City Prosecutor had adopted a different conclusion on the matter.

WHEREFORE, Assistant City Prosecutor EDUARDO R. GARCIA of the City Prosecution Office, Pasig City, is hereby found liable for neglect in the performance of his duty. Consequently, he is suspended for a period of one (1) month without pay.

DONE in the City of Manila, this 12th day of May, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) ALEXANDER P. AGUIRRE

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 396

APPROVING AND DIRECTING THE IMPLEMENTATION OF RESOLUTION NO. 98-560 OR
THE OMNIBUS REVISION OF THE RATES OF FEES CHARGED AND COLLECTED BY THE
PROFESSIONAL REGULATION COMMISSION

WHEREAS, the Professional Regulation Commission (PRC), by virtue of Section 5(g) of Presidential Decree No. 223 is mandated “to determine, fix and collect the amount to be charged for examination, registration, registration without examination, licenses, annual registration fees, certifications, surcharges and other fees not specified under the provisions of Republic Act No. 6511 or amend the rates provided thereunder subject to approval by the Office of the President”;

WHEREAS, Section 1 of Executive Order No. 159 directed all departments, bureaus, offices, units, and agencies, including government-owned and controlled corporations to revise their fees and charges to recover at least the full cost of services rendered;

WHEREAS, it is the goal of the government: 1) to promote full recovery of cost of services to free other government revenues for priority projects; and 2) to ensure equitable distribution of the burden of cost recovery by having the direct recipients of government services account for the cost;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby approve and direct the immediate implementation of Resolution No. 98-560 or the Omnibus Revision of the Rates of Fees Charged and Collected by the Professional Regulation Commission, hereto attached as “Annex A”.

DONE in the City of Manila, this 15th day of May, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Reference: Annex A

Source: Malacañang Records Office

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 397

WHEREAS, the Construction and Development Corporation of the Philippines (CDCP), now Philippine National Construction Corporation (PNCC), entered into a contract with the Republic of the Philippines represented by the then Department of Public Highways (DPH), now Department of Public Works and Highways (DPWH) dated 20 November 1973 for the construction of the Manila-Cavite Coastal Road and the reclamation of some portions of the foreshore and off-shore lands along Manila Bay at PNCC's own expense, otherwise known as the Manila-Cavite Coastal Road and Reclamation project (MCCRPP);

WHEREAS, under the contract, the compensation for PNCC on the project was in the form of reclaimed lands with an area not exceeding 50% of the total reclaimed lands covered by Certificates of Pledge to be issued by DPWH;

WHEREAS, pursuant to the aforesaid contract, the lands ceded to PNCC are (1) the lands known as the Financial Center Area (FCA) consisting of 56.3212 hectares; (2) portion of the reclaimed lands known as the Central Business Park I (CBP-1) consisting of 77.1538 hectares and (3) all of the reclaimed lands known as the First Neighborhood Unit (FNU) consisting of 172.5299 hectares;

WHEREAS, pursuant to Presidential Decree No. 1084, the Public Estates Authority (PEA) was mandated to reclaim lands, including foreshore and submerged areas, and to acquire reclaimed lands for the purpose of developing and taking charge of their disposition;

WHEREAS, pursuant to Presidential Decree No. 1085, the ownership over the lands reclaimed in the foreshore and offshore area under the MCCRPP were to be transferred, conveyed and assigned to PEA provided that the rights and interests of PNCC pursuant to the aforesaid contract should be recognized and respected;

WHEREAS, in a Memorandum of Agreement (MOA) dated 29 December 1981, PNCC ceded and transferred all its rights, title, interest and participation over those reclaimed areas under the MCCRPP which were not yet transferred or disposed as of 30 December 1981, in favor of PEA;

WHEREAS, the reclaimed lands ceded consist of an area approximately 99,473 sq. m. in the FCA covered by Land Pledge No. 5 and approximately 3,382,888 sq. m. of reclaimed lands of varying elevations above mean low water level located outside the FCA and the FNU and that PEA agreed to pay PNCC the sum of P1,517,959,000.00;

WHEREAS, PNCC still has unsettled claims against PEA arising from the MCCRPP contract and the MOA dated 29 December 1981;

WHEREAS, Memorandum Order No. 293, series of 1995 created an Arbitration Committee composed of representatives from the Departments of Finance, Justice, Public Works and Highways and Trade and Industry to resolve the perceived conflicting interests between the PEA and PNCC insofar as the construction of roads under a Build-Operate-Transfer scheme and other issues on capital structure, asset transfers, and financial liabilities are concerned;

WHEREAS, after due investigation and hearing, the Committee reported that the claims of PNCC are well founded;

WHEREAS, PNCC's indebtedness to the various government financial institutions were transferred to the National Government (NG) through the Committee on Privatization (COP)/ Asset Privatization Trust (APT) and the Bureau of Treasury pursuant to Proclamation No. 50 and Administrative Order No. 64;

WHEREAS, PNCC is one of the corporations slated to be privatized and such measure can only be achieved if its Balance Sheet can be relieved of huge financial obligations with the NG;

WHEREAS, PNCC, with the concurrence of PEA, is willing to settle its aforesaid obligations by applying its valid claims and verified receivables from PEA.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. The COP/APT shall recognize PEA's assumption of PNCC's obligations with PNB amounting to P788.820 Million as provided under the MOA dated 29 December 1981. The corresponding interests and penalties which may have accrued thereon from the date of PEA's assumption of the obligations are deemed to have been assumed by them and to be converted as NG equity in PEA.

Sec. 2. The P43.593 Million receivable balance of PNCC from PEA representing the unpaid cash portion of the MOA dated 29 December 1981 shall be assigned to APT by PNCC as payment of its obligations to the NG.

Sec. 3. The Lot 6 of the Financial Center Area consisting of 129,548 sq. m. covered by Certificates of Pledge Nos. 2 and 3 issued by DPWH under their Contract of 20 November 1973 and still titled in the name of the Republic of the Philippines under TCT No. 34997, shall be titled in the name of PNCC. For this purpose, PNCC, PEA, DPWH, and COP-APT shall jointly coordinate to effect the titling as mandated hereon.

Sec. 4. An excess of 246,931 sq. m., more or less, of the reclaimed land under the First Neighborhood Unit (FNU) ceded by PEA to Marina Properties Corporation (MPC) without any indemnity pursuant to LOI 1390 shall be applied as settlement of PNCC's obligations with the NG based on the property's fair market value without prejudice to NG's right for payment from NDC;

Sec. 5. Pursuant to Memorandum Order dated 8 June 1995, the PEA shall purchase PNCC's preferred option in the amount of P100 Million under Section 9 of the PEA-CDCP (now PNCC) MOA dated 29 December 1981 for the remaining undisposed portion of the reclaimed land with an area of 158 hectares more or less, located at the Southern Sector of MCCRRP subject of PNCC MOA dated 29 December 1981. The payment in cash shall be made out of the project cash flows from the development of the Southern Sector of MCCRRP and the payment within two (2) years from the approval by the President of the re-negotiated Joint Venture Agreement for the Project.

Sec. 6. The resulting obligations of PEA as a consequence of all the foregoing shall be converted into equity of the NG in the said entity.

Sec. 7. The PNCC shall waive any and all future claims against PEA in relation to the aforesaid PEA-PNCC MOA and the MCCRRP Contract except the claim of PNCC on the R-1 Project which shall be paid by PEA upon determination of the actual amount due to PNCC.

Sec. 8. The DOF, COP, APT, PEA, PNCC and all other government agencies concerned shall execute all the documents necessary to implement this order.

Sec. 9. This order takes effect immediately.

DONE in the City of Manila, this 13th day of May, 1998, in the year of our Lord, Nineteen Hundred and Ninety-eight.

(Sgd.) FIDEL V. RAMOS

By the President.

(Sgd.) ALEXANDER P. AGUIRRE

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 398
CREATING A NATIONAL ORGANIZING COMMITTEE FOR THE PHILIPPINES’
PARTICIPATION IN THE 1999 INTERNATIONAL HORTICULTURAL EXPOSITION IN
KUNMING, CHINA

WHEREAS, the 1999 International Horticultural Exposition will be held in Kunming, Yunan Province, People’s Republic of China, from 01 May to 31 October 1999;

WHEREAS, the Philippines’ participation in the 1999 Kunming Exposition will further bolster our relations with the People’s Republic of China, and will provide a venue for showcasing our horticultural and agricultural products and equipment;

WHEREAS, there is a need to constitute a body to ensure the Philippines’ successful participation in the said Exposition;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. *Creation of a National Organizing Committee.* There is hereby created a National Organizing Committee (NOC) for the Philippines’ participation in the 1999 International Horticultural Exposition in Kunming, China to oversee the preparations for, and supervise the day-to-day operations of the Philippine exhibit in the said Exposition.

SECTION 2. *Composition.* The NOC shall be composed of the following:

Secretary of Tourism	- Chairperson
Secretary of Foreign Affairs	- Co-Chairperson
Secretary of Trade and Industry	- Vice-Chairperson
Secretary of Agriculture	- Member
Chairman, University of the Philippines-Department of Horticulture	- Member
President, Federation of Cutflowers and Ornamental Plant Growers of the Philippines	- Member
President, Philippine Food Exporters Organization	- Member
President, Manila Seedling Bank Foundation, Inc.	- Member

SECTION 3. *Powers and Functions.* The Committee shall exercise the following functions and responsibilities:

- a. Formulate and implement in coordination with concerned sectors, a workplan and budget to ensure the successful participation of the Philippines in the Kunming Expo ’99;
- b. Task concerned agencies and instrumentalities of the government to achieve its objectives;
- c. Solicit and accept sponsorships and gratuitous title of funds, material and devices from concerned government departments and its instrumentalities, and from the private sector.

- d. Negotiate and conclude agreements and contracts, grant incentives and honorarium, subject to applicable laws, rules and regulations.

The NOC shall also coordinate with Cabinet Clusters X (International Relations) and Z (Sub-cluster of Cluster X) in the conduct of its functions.

SECTION 4. *Private Sector Participation.* The NOC shall harness the support of the private sector for the Philippine's participation in the Expo, in particular, the Federation of Cutflowers and Ornamental Plant Growers of the Philippines, Inc. and other organizations in the horticulture industry.

SECTION 5. *Reports to the President.* Relative to the performance of its mandated functions, the NOC, through its Chairman, shall submit periodic reports to the President, and a final report within sixty days (60 days) after the closing of the Exposition.

SECTION 6. *Cessation of the Committee.* The Committee shall cease to exist sixty (60) days after the submission of its final report provided in Section 5 thereof, unless otherwise ordered by the President.

SECTION 7. *Repealing Clause.* All orders and issuances or parts thereof inconsistent with the provisions of this Administrative Order are hereby repealed or modified accordingly.

SECTION 8. *Effectivity.* This Administrative Order shall take effect immediately.

Done in the City of Manila, this 5th day of June, 98 in the year of our Lord, Nineteen Hundred and Ninety Eight.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) ALEXANDER P. AGUIRRE

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 399

**AUTHORIZING THE AYALA GENERAL INSURANCE CORPORATION TO BECOME A
SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS**

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that, whenever any recognizance, stipulation, bond, or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal, or otherwise, or of any undertaking, or for doing, or refraining from doing anything, and such recognizance, stipulation, bond, or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing solely of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds of undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, judge, officer, board, or body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract, or undertaking, unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds, and undertakings;

WHEREAS, Section 3 of Act No. 536 provides that every company before transacting any business under this Act shall deposit with the Attorney-General of the Philippine Islands (now Office of the President) a copy of its charter or articles of incorporation, and a statement signed and sworn to by its president and secretary showing its assets and liabilities. If the said Attorney-General (now President) shall be satisfied that such company has authority under its charter to do the business provided for this Act, and that it has a paid-up capital of not less than two hundred and fifty thousand dollars, in cash or its equivalent, and is able to keep and perform its contracts, he shall grant authority in writing to such company to do business under this Act.

WHEREAS, the Ayala General Insurance Corporation is a domestic corporation organized and existing under the laws of the Republic of the Philippines, and fulfills the conditions prescribed by said Act No. 536, as amended.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the Ayala General Insurance Corporation to become a surety upon official recognizances, stipulations, bonds, and undertakings, in such manner and under such conditions as are provided by law, subject, however, to the condition that the amount constituting the contributed surplus fund shall not at anytime be withdrawn without prior recommendation and justification by the Insurance Commissioner, duly approved by the Secretary of Finance, and provided further, that the moment Ayala General Insurance Corporation becomes indebted to any government

instrumentality or political subdivision thereof, or to any government-owned or controlled corporation in the total amount of P50,000.00 accruing from the issuance of bonds, the same having become due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of bonds until the outstanding liabilities in government bonds shall have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of this Administrative Order.

Done in the City of Manila, this 28th day of May, in the year of Our Lord, nineteen hundred and ninety eight.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) ALEXANDER P. AGUIRRE

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 400
ESTABLISHING A NATIONAL ORGANIZING COMMITTEE FOR THE INAUGURAL
CEREMONIES OF THE PRESIDENT-ELECT AND THE VICE PRESIDENT-ELECT

WHEREAS, it is the declared policy of the government to ensure a peaceful, orderly and smooth transfer of powers to the next duly-elected President and Vice-President;

WHEREAS, the Constitution mandates that the President-Elect and the Vice President-Elect shall assume their respective Offices at 12 noon of the 30th of June 1998;

WHEREAS, the President-Elect has signified his preference to have his oath-taking ceremony (12:00 noon) at the Barasoain Church in Malolos, Bulacan, and then to deliver his Inaugural Address at the Quirino Grandstand, Rizal Park, Manila at 4:00 P.M. on the same day; and

WHEREAS, there is need to undertake comprehensive preparations for the Inaugural Ceremonies to facilitate the assumption to Office of the President-Elect and Vice President-Elect and ensure the success of the activities in both venues;

NOW, THEREFORE, I, FIDEL V. RAMOS, by the powers vested in me by law and the Constitution do hereby order:

SECTION 1. Creation of a National Organizing Committee for the Inaugural Ceremonies for the President-Elect and the Vice President-Elect. A National Organizing Committee for the Inaugural Ceremonies hereinafter referred to as the NOC, is hereby established. The NOC shall oversee the preparations for the Inaugural Ceremonies and related activities on 30 June 1998. The members of the Committee shall include the following:

Chairman:	Executive Secretary
Co-Chair :	Lead Representative of President-Elect
Members :	Acting Head, Presidential Management Staff
	Incoming Head, Presidential Management Staff
	Representative of Vice President-Elect
	Governor of Bulacan (for the Inaugural Activities in Bulacan)
	Mayor of Malolos, Bulacan (for the Inaugural Activities in Bulacan)
	Barasoain Parish Priest (for the Inaugural Activities in Bulacan)
	Mayor of the City of Manila (for the Inaugural Activities at the Quirino Grandstand)
	Four (4) Other Representatives of the President-Elect
	Chairmen and Co-Chairmen of the Sub-Committees of the NOC

SECTION 2. Creation of Sub-Committee on Security, Traffic and Parking. There is hereby created a Sub-Committee on Security, Traffic and Parking. The Sub-Committee shall be primarily responsible for the formulation and implementation of security arrangements for the Incumbent President, the President-Elect, the Vice-President-Elect and other guests who are expected to attend and participate in the Inaugural Ceremonies, as well as a traffic and parking plan for the Barasoain Church and its

environs to facilitate the smooth flow of activities and prevent vehicle congestion in the program areas. The Sub-Committee shall likewise be responsible for the formulation and implementation of security arrangements as well as a traffic and parking plan for the President and other guests for the Inaugural Address at the Quirino Grandstand. In addition, the Sub-Committee shall prepare a comprehensive plan for the motorcade of guests from Barasoain Church to the Quirino Grandstand to ensure their timely attendance and participation in both activities as well as the provision of Health and First Aid services that may be required for the guests and the general public.

The Sub-Committee on Security, Traffic and Parking shall be composed of the following:

Chairman:	Secretary, Department of Interior and Local Government
Co-Chair :	Representative of President-Elect
Members :	Chief, Philippine National Police (PNP)
	Group Commander, Presidential Security Group (PSG)
	Commanding General, North Luzon Command
	Director, PNP Region III
	Director, PNP NCR
	Traffic Director, Metro Manila Development Authority (MMDA)
	Chief, Western Police District
	Undersecretary, DOH
	Chairman, National Parks and Development Committee

SEC. 3. Creation of a Sub-Committee on Parades and Honor Ceremonies. There is hereby created a Sub-Committee on Parades and Honor Ceremonies. The Sub-Committee shall primarily be responsible for identifying the appropriate Honor Ceremonies at the Barasoain Church area and the Quirino Grandstand. The Sub-Committee shall also be responsible for identifying the sequence and program for the Parade at the Quirino Grandstand. The Sub-Committee shall also undertake coordination with other concerned agencies and the public sector for the said activities.

The Sub-Committee on Parades and Honor Ceremonies shall be composed of the following:

Chairman:	Secretary, Department of National Defense
Co-Chair :	Representative of President-Elect
Members :	Secretary, Department of Interior and Local Government or Representative
	Secretary, Department of Foreign Affairs or Representative
	Chief Presidential Protocol Officer
	Chief of Staff, Armed Forces of the Philippines
	Secretary, Department of Education, Culture and Sports
	Executive Director, National Centennial Commission
	Two (2) Other Representatives of President-Elect
	Chairman, MMDA or Representative

SEC. 4. Creation of a Sub-Committee on Protocol. There is hereby created a Sub-Committee on Protocol which shall primarily be responsible for formulating a comprehensive guest list and seating plan for participants and guests to the Inaugural Ceremonies (Bulacan and Quirino Grandstand, respectively), preparation and issuance of invitations to said participants and guests, and the provision

of the required documents for the oath-taking (i.e. oath of office for the President-Elect and Vice-President-Elect, Holy Bible, etc.).

The Sub-Committee on Protocol shall be composed of the following:

Chairman:	Secretary, Department of Foreign Affairs
Co-Chair :	Representative of President-Elect
Members :	Chief Presidential Protocol Officer Incumbent and Designate-Incoming PA for Legislative Affairs Incumbent and Designate-Incoming Executive Assistant to the President Incumbent and Designate-Incoming Socials Secretary

SEC. 5. Sub-Committee on Media Affairs. There is hereby created a Sub-Committee on Media Affairs which shall primarily be responsible for formulating and implementing a plan of action to maximize and ensure tri-media coverage of the Inaugural Ceremonies in Malolos, Bulacan and at the Quirino Grandstand, and to conduct an information dissemination campaign to instill public awareness on the significance of the events.

The Sub-Committee on Media Affairs shall be composed of the following:

Chairman:	Press Secretary-Designate
Co-Chair :	Press Secretary
Members :	Executive Director, Radio Television Malacanang Undersecretary, Philippine Information Agency Director, Radyo ng Bayan Bureau Director, Bureau of Communication Services

SEC. 6. Creation of a Sub-Committee on Transportation. There is hereby created a Sub-Committee on Transportation which shall primarily be responsible for planning and coordination of the vehicle requirements for the Inaugural Ceremonies (in Malolos, Bulacan and at the Quirino Grandstand) and ensure the provision of adequate transportation for all participants and guests to the said events.

The Sub-Committee on Transportation shall be composed of the following:

Chairman:	Secretary, Department of Transportation and Communication
Co-Chair :	Representative of President-Elect
Members :	Chairman, Metro Manila Development Authority or Representative Head, Land Transportation Franchising and Regulatory Board Head, Land Transportation Office 2 other Representatives of President-Elect Representative of President-Elect Representative, Philippine National Police Representative, Armed Forces of the Philippines Representative, Presidential Security Group

SEC. 7. Creation of a Sub-Committee on Programme. A Sub-Committee on Programme is hereby created. The Sub-Committee on Programme shall primarily be responsible for the formulation

of the program of activities for the Inaugural Ceremonies in Malolos, Bulacan and the program for the Inaugural Address at the Quirino Grandstand, and the preparation and packaging of the souvenir program and other documents/materials needed for the event.

The Sub-Committee shall be composed of the following:

Chairman:	Acting Head, Presidential Management Staff (PMS)
Co-Chair :	Designate – Incoming Head, PMS
Members :	Press Secretary or Representative Secretary, Department of Tourism or Representative Executive Director, Radio Television Malacanang Bureau Director, Bureau of Communication Services Two (2) Other Representatives of President-Elect

SEC. 8. Creation of a Sub-Committee on Finance. A Sub-Committee on Finance is hereby created to identify the appropriate funding source and ensure the provision of funds necessary for the preparations and actual conduct of the Inaugural Ceremonies.

The Sub-Committee shall be composed of the following:

Chairman:	Secretary, Department of Budget and Management
Co-Chair :	Representative of President-Elect
Members :	Secretary, Department of Finance Director, OP Finance Chairman, Philippine Amusement and Gaming Corporation Two (2) Other Representatives of President-Elect

SEC. 9. Creation of a Sub-Committee on Physical Arrangements. A Sub-Committee on Physical Arrangements is hereby created to ensure the provision of the necessary resources and materials for the preparation of the program area and other areas to be used in relation to the Inaugural Ceremonies on 30 June 1998.

The Sub-Committee on Physical Arrangements shall be composed of the following:

Chairman:	Representative of President-Elect
Co-Chair :	Secretary, Department of Public Works and Highways
Members :	Secretary, Department of Tourism or Representative Executive Director, National Centennial Commission Representative, Bulacan Provincial Government Representative, Municipal Government of Malolos, Bulacan Representative, City Government of Manila Chairman, Metro Manila Development Authority or Representative Administrator, National Parks and Development Committee President, Philippine National Construction Corporation General Manager, Public Estates Authority Two (2) Other Representatives of the President-Elect Barasoain Barangay Captain

SEC. 10. Creation of a Sub-Committee on Food and Refreshments. There is hereby created a Sub-Committee on Food and Refreshments which shall be responsible for the provision of appropriate food and refreshments for all the guests and participants to the Inaugural Ceremonies and other related activities at the Barasoain Church in Malolos, Bulacan and at the Quirino Grandstand at the Rizal Park in Manila.

The Sub-Committee on Food and Refreshments shall be composed of the following:

Chairman:	Secretary, DTI
Co-Chair :	Representative of President-Elect
Members :	Secretary, DSWD or Representative
	Secretary, DECS or Representative
	Secretary, DOT or Representative
	Two (2) Other Representatives of the President-Elect

SEC. 11. Assistance from Agencies. All departments and agencies of government are hereby directed to provide support and assistance to the NOC on request or as may be required.

SEC. 12. Submission of Regular Reports. The different Sub-Committees shall submit regular reports (at least 1 report per week until 30 June 1998) to the NOC.

SEC. 13. Submission of an Implementation Plan for the Inaugural Ceremonies and Regular Reports on the Status of Preparations Therefor. The NOC shall submit an integrated implementation plan for the Inaugural Ceremonies not later than 15 June 1998. The NOC shall also submit regular reports on the status of preparations for the said event.

SEC. 14. Provision of Secretariat Support. The Presidential Management Staff shall provide secretariat support to the NOC. The Sub-Committees shall identify and designate their respective Secretariat.

SEC. 15. Funding Support. The DBM and OP Finance shall be responsible for identifying the appropriate funding source for the expenses relative to the preparations and actual conduct of the Inaugural Ceremonies and related activities.

SEC. 16. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 4th day of June, in the year of our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 401

CREATING THE NATIONAL ORGANIZING COMMITTEE FOR THE 1998 ASIA-PACIFIC
ECONOMIC COOPERATION (APEC) MINISTERIAL CONFERENCE ON WOMEN,
PRESCRIBING ITS AUTHORITY AND FUNCTIONS, AND FOR OTHER PURPOSES.

WHEREAS, the integration of the gender perspective in all government policies and programs is a commitment made by the Philippines during the Fourth World Conference on Women;

WHEREAS, the Philippines, as host of the 1996 APEC Summit, has initiated in the promotion of gender as a crosscutting concern in APEC;

WHEREAS, there is a need to continue to promote gender as a crosscutting priority in all APEC fora and integrate a gender perspective at all levels of APEC work;

WHEREAS, the Philippines has been designated as host of the APEC MINISTERIAL MEETING ON WOMEN, herein referred to as the MEETING to be held in Manila on October 12-16, 1998;

WHEREAS, the convening of the Meeting is a concrete step as called for in the 1996 APEC Leaders Declaration in Subic (Paragraph 18), directing Ministers to “put special emphasis on the full participation of women and youth”, in the implementation of economic and technical cooperation agenda;

WHEREAS, the 1996 APEC Framework for Strengthening Economic Cooperation and Development called for the need for economic and technical cooperation activities that shall promote equal opportunity for men and women to avail of the benefits of economic growth;

WHEREAS, during the APEC Senior Officials Meeting III in August 1997, support was expressed to the joint proposal of the Governments of the Philippines and Canada to host a one-off event to highlight the role of women in economic development and integration of women into the mainstream of APEC activities;

WHEREAS, the Meeting will be primarily participated in by Ministers Responsible for Women’s Concerns related to economies and trade in APEC to be supported by the Heads of the National Machineries and Others, to advance and safeguard gender issues in the Trade Investment Liberalization and Facilitation (TILF) agenda of APEC particularly in the growth of small and medium enterprises, developing human capital, harnessing technologies of the future and, promoting sustainable growth and equitable development;

WHEREAS, there is an imperative need to create a body that shall organize and oversee all activities for the holding of the said Meeting;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order that:

SECTION 1. CREATION. - There is hereby created a National Organizing Committee, herein referred to as the NOC, to be composed of the following:

a. Secretary of Foreign Affairs	- Chairperson
b. Secretary of Trade and Industry	- Co-chair
c. Chairperson, National Commission on the Role of Filipino Women (NCRFW)	- Co-chair
d. Executive Secretary	- Member
e. Secretary of Socio-Economic Planning	- Member
f. Secretary of Finance	- Member
g. Secretary of Budget and Management	- Member
h. Secretary of Agriculture	- Member
i. Secretary of Environment and Natural Resources	- Member
j. Secretary of Health	- Member
k. Secretary of Labor and Employment	- Member
l. Secretary of Science and Technology	- Member
m. Secretary of Tourism	- Member
n. Secretary of the Interior and Local Government	- Member
o. Secretary of Social Welfare and Development	- Member
p. Director-General, Technical Education and Skills Development Authority	- Member
q. Chairperson, Commission on Higher Education	- Member
r. Officer-In-Charge, Philippine Information Agency	- Member
s. Executive Director of Population Commission	- Member
t. President, Women's Business Council, Philippines	- Member
u. Executive Director, Philippine Council for Sustainable Development (NGO Counterpart)	- Member
v. 1 Representative from the Academe (TBI)	- Member
w. 1 Representative from Women NGO (TBI)	- Member

The Members of the NOC may designate their permanent representative who are next-in-rank in their respective agencies.

SECTION 2. EXECUTIVE COMMITTEE. - An Executive Committee (ExeCom) shall be organized from within the NOC to assist the NOC in the pursuit of its objectives. The Head of the ExeCom shall be elected by its members which shall be participants of the following agencies and Chairs of the different Sub-Committees:

- a. Department of Foreign Affairs
- b. Department of Trade and Industry
- c. National Commission on the Role of Filipino Women
- d. Women's Business Council, Philippines
- e. 1 Representative from Women NGO

The representatives of the ExeCom member agencies must have the rank of at least Assistant Secretary or its equivalent. The ExeCom may create Sub-Committees and call upon or invite any government agency, non-government organizations or private individuals to assist the NOC in the performance of its tasks.

SECTION 3. SECRETERIAT. - A Secretariat shall be formed to assist the NOC, ExeCom and Technical Working Wroup (Substantive Committee) in carrying out their functions prior to and during

the conduct of the Ministerial Meeting. The Secretariat shall be headed by the NCRFW with members from various agencies in the NOC. These same members shall compose the Sub-Committees on Conference Secretariat and Accommodation; Program/Invitation/Media/Publicity; Transportation/Port Courtesies/Securities; and Finance.

SECTION 4. AUTHORITY AND FUNCTIONS. - In pursuit of its objective and subject to existing laws, the NOC shall have the following authority and functions:

- 4.1 Formulate the design of the Meeting and take all the substantive and administrative preparations;
- 4.2 Seek funds from donor agencies, government organizations and private sector to cover other costs of the Conference;
- 4.3 Call upon any official, agent, employee, agency or instrumentality of the national or local government for any assistance that may be necessary to carry out the purposes of this Administrative Order; and
- 4.4 Negotiate and conclude agreements and contracts necessary for the attainment of the objectives of this Administrative Order, including contracts of services, taking into consideration what is most advantageous to the government.

SECTION 5. FUNDING. - Such amount as may be necessary for the operational requirements of the NOC, ExeCom, Secretariat and Sub-Committees amounting to FIVE MILLION EIGHT HUNDRED THOUSAND PESOS (P5,800,000.00) shall be charged against the 25% mandatory reserve of the CY 1998 International Commitment Fund (ICF).

SECTION 6. EFFECTIVITY. - This Administrative Order shall take effect immediately.

Done in the City of Manila, this 2nd day of June, in the year of our Lord, nineteen hundred and ninety eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) ALEXANDER P. AGUIRRE
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 402
ESTABLISHMENT OF A MEDICAL CHECK-UP PROGRAM FOR GOVERNMENT PERSONNEL

WHEREAS, pursuant to Section 5 of P.D. No. 1597, s. 1978 (Further Rationalizing the System of Compensation and Position Classification in the National Government), which continues to be applicable in accordance with R.A. No. 6758, s. 1989 (Prescribing a Revised Compensation and Position Classification System in the Government), all government employees may be granted allowances, honoraria and other fringe benefits;

WHEREAS, keeping a healthy workforce is among the primary concerns of the government considering that the physical well-being of its employees has a significant impact on the efficiency and effectiveness of public service delivery; and,

WHEREAS, the Civil Service Commission also issued Memorandum Circular No. 33 (s. 1997) which provides that all government agencies and Government-Owned and/or-Controlled Corporations (GOCCs) shall provide, among others, a health program for their employees which includes free annual mental and medical-physical examinations.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Establishment of the Annual Medical Check-up Program. An annual medical check-up for government officials and employees is hereby authorized to be established starting this year, in the meantime that this benefit is not yet integrated under the National Health Insurance Program being administered by the Philippine Health Insurance Corporation (PHIC).

SEC. 2. Coverage. The medical check-up program shall be granted to all permanent and temporary personnel of national government agencies who have been in the service for at least one year as of the effectivity of this Order. Excluded from the coverage, however, are officials and employees who are already recipients of a similar benefit or any supplementary medical allowance over and above the Medicare benefits.

GOCCs, which do not offer a free medical check-up or any supplementary medical allowance over and above the Medicare benefits shall also establish a similar program for their employees.

Local Government Units are also encouraged to establish a similar program for their personnel.

SEC. 3. Benefit Package. Initial benefits for employees who are below 40 years of age shall include the following: Physical examination, Chest X-ray, Complete Blood Count (CBC), Urinalysis and Stool Examination. Meanwhile, employees whose age is 40 years and above shall be entitled to the following: Physical examination, Chest X-ray, Complete Blood Count (CBC), Urinalysis, Stool Examination and ECG. Benefits may be increased upon the availability of funds.

SEC. 4. Funding. The National Government shall provide the funds to cover the cost of the medical check-up of officials and employees of national government agencies. Expenses for the medical check up of personnel in GOCCs, undertaken pursuant to this Order, shall be chargeable against the corporate funds of the respective GOCCs. Local Government Units, which may establish a similar medical program for their personnel, shall utilize local funds for the purpose.

Funds intended for the program shall be used only for the payment of the cost of the check-up actually rendered.

SEC. 5. Program Administration. This program shall be administered by the Department of Health (DOH). The DOH shall oversee the conduct of the medical check-up for all officials and employees of the national government agencies and administer the funds for the purpose.

SEC. 6. Implementing Rules and Regulations. The DOH, Department of Budget and Management (DBM) and the PHIC shall jointly formulate and issue the implementing rules and regulations for this program.

SEC. 7. Repealing Clause. All laws, orders, regulations, or parts thereof, inconsistent with the provisions of this Order, are hereby repealed or modified accordingly.

SEC. 8. Effectivity. This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 2nd day of June, in the year of our Lord, nineteen hundred and ninety eight.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **ALEXANDER P. AGUIRRE**

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 403
IMPOSING THE PENALTY OF ONE (1) MONTH SUSPENSION WITHOUT PAY ON ASSISTANT
CITY PROSECUTOR PROSPERO B. SEMANA OF QUEZON CITY

This refers to the administrative complaint filed against Assistant City Prosecutor Prospero B. Semana of the Office of the City Prosecutor, Quezon City, for neglect of duty and inefficiency.

Records show that complainants Abdulmajid Godoy and others, filed on September 24, 1993 before the Office of the City Prosecutor of Quezon City a criminal complaint for grave threats, grave coercion and trespass to dwelling (I.S. No. 93-13449) against the security guards of Progressive Development Corporation, Araneta Center, Cubao, Quezon City. The preliminary investigation was handled by Prosecutor Semana who resolved the said complaint only on December 14, 1994 or after a period of more than one (1) year from the date the same was assigned to him. The resolution was approved by the City Prosecutor on December 15, 1994 and a copy of which was received by the complainants only on February 1, 1995.

Respondent Prosecutor Semana avers that the delay was not entirely his fault because he gave complainants sufficient time to submit additional evidence to substantiate their charges but due to the influx of cases, he inadvertently lost track of the case. Its dismissal was based on his honest appreciation of the facts and the evidence presented to him and his resolution therein was concurred in and approved by the City Prosecutor.

State Prosecutor Philip A. Aguinaldo of the Department of Justice was directed to conduct a formal investigation of the instant administrative complaint. After formal hearing, State Prosecutor Aguinaldo found Prosecutor Semana administratively liable for neglect of duty and inefficiency and recommended the penalty of one (1) month suspension without pay.

After a careful evaluation of the records of the case, the Secretary of Justice found Prosecutor Semana administratively liable for simple neglect of duty and recommends the latter's suspension for one (1) month without pay.

Indeed, the failure of Prosecutor Semana to resolve I.S. No. 93-13449 within the reglementary period as prescribed under DOJ Circular No. 35 as amended by DOJ Circular No. 49, dated July 14, 1993, constitutes neglect of duty and inefficiency. The long delay of more than one (1) year in the resolution of the criminal complaint greatly undermines the people's confidence in the prosecution service and ultimately in the administration of justice.

Finally, considering that Prosecutor Semana had previously been admonished by the Secretary of Justice for a similar infraction in an earlier administrative complaint, we agree with the Secretary of Justice that suspension is in order.

WHEREFORE, respondent Prosecutor Prospero B. Semana, Assistant City Prosecutor of Quezon City, is hereby found liable for simple neglect of duty and inefficiency when he failed to resolve I.S. No. 93-13449 for more than one (1) year. Consequently, his suspension for one (1) month without pay is hereby imposed.

DONE in the City of Manila, this 8th day of June, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) FIDEL V. RAMOS

By the President:
(Sgd.) RENATO C. CORONA
Chief Presidential Legal Counsel

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 404
CREATING A SPECIAL PROJECTS TASK FORCE TO SUPPORT THE 31st ASEAN MINISTERIAL MEETING AND RELATED MEETINGS

WHEREAS, the Philippines as Chairman of the ASEAN Standing Committee (ASC) will be hosting the 31st ASEAN Ministerial Meeting (AMM), the ASEAN Regional Forum (ARF) and the ASEAN Post Ministerial Conferences (PMC) to be held in Manila from 21 to 29 July 1998;

WHEREAS, the hosting of the 31st ASEAN Ministerial Meeting and related Meetings by the Philippines is a historic event for the country and its people as it is the first initiative on regional cooperation among the nine (9) ASEAN member countries and its ten (10) Dialogue Partners by the new incoming Philippine Administration;

WHEREAS, the Philippines attaches great importance to the Association of Southeast Asian Nations (ASEAN) not only because it is a founding member of the organization, but more importantly, because it recognizes the reality that the country's sustained economic growth is closely interlinked with the confidence in the dynamism and resilience of the Philippines and ASEAN as a whole despite the financial crisis battling the region;

WHEREAS, to be able to effectively advance Philippine interests in the ASEAN Ministerial Meeting process, more particularly at the critical level of the Senior Official's Meeting, the ASEAN Regional Forum and the Post-Ministerial Conferences, comprehensive and careful planning is a vital prerequisite that must be met;

WHEREAS, to enable the Philippines to carry out these vital tasks, broad public and private sector support and participation is needed and required;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. 31st AMM Special Projects Task Force. The 31st AMM Special Projects Task Force is hereby created with the primary responsibility of providing full substantive and logistical support to the Department of Foreign Affairs in the image-building preparations for the 31st ASEAN Ministerial Meeting and Related Meetings. The 31st AMM Special Projects Task Force, which shall be under the direction of the Department of Foreign Affairs, shall be composed of senior officials from government agencies and the private sector with economic concerns in the ASEAN region such as the

Department of Foreign Affairs (DFA)	– Chair
Department of Trade and Industry (DTI)	– Member
Department of Transportation and Communications (DOTC)	– Member
Department of Finance (DOF)	– Member
Department of Tourism (DOT)	– Member
Department of Public Works and Highways (DPWH)	– Member
Office of the Press Secretary (OPS)	– Member

National Economic and Development Authority (NEDA)	– Member
Board of Investments (BOI)	– Member
Center for International Trade Expositions and Missions (CITEM)	– Member
Intramuros Administration	– Member
Metro Manila Development Authority (MMDA)	– Member
Ninoy Aquino International Airport (NAIA)	– Member
Philippine Convention and Visitors Corporation (PCVC)	– Member
Product Development and Design Center of the Philippines (PDDCP)	– Member
Philippine Chamber of Commerce and Industry (PCCI)	– Member
Ad Foundation	– Member
Clean and Green Foundation	– Member
Sycip, Gorres, Velayo and Co. (SGV)	– Member

SEC. 2. Private Sector Participation in the 31st AMM Special Projects Task Force. The membership, involvement, support and assistance in the 31st AMM Special Projects Task Force of the private sector with economic concerns or proposed business interests in the ASEAN region is encouraged.

SEC. 3. 31st AMM Special Projects Task Force Committees. The 31st AMM Special Projects Task Force shall oversee various Committees with tasks and responsibilities correspondingly associated with each:

Committee on Tri-Media Campaign

Coverage	The conceptualization, production, and implementation of an information campaign in broadcast and print media so as to influence the impression projected by the 31st AMM and Related Meetings, the Philippines and ASEAN as a whole.
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Committee on Exhibit (“Philippine Links with ASEAN”)

Coverage	Conceptualization and implementation of an exhibit on “Philippine Links with ASEAN” communicating the Philippines as an investment and strategic partner in ASEAN and highlighting the presence of the Philippine private sector in the ASEAN region.
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Committee on Infrastructure Development

Coverage	Involve the improvement, beautification, order and cleanliness of venues used by the 31st AMM delegates other than the convention site such as street improvement, traffic regulation, clean and green projects, billboards to welcome the 31st AMM delegates.
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Membership in the above Committees may be modified or increased from time to time by the Chair of 31st AMM Special Projects Task Force, as dictated by prevailing conditions.

SEC. 4. 31st AMM Special Projects Task Force Committee Meetings. The 31st AMM Special Projects Task Force Committees shall meet regularly, collectively or individually, as appropriate, the output of which shall be promptly reported to the Chair of the 31st AMM Special Projects Task Force. The Chair may also call the 31st AMM Special Projects Task Force or any of its Committees to a meeting whenever deemed necessary or appropriate.

SEC. 5. Coordination with the Department of Foreign Affairs. The 31st AMM Special Projects Task Force, collectively and as individual committees, shall coordinate its activities with the Department of Foreign Affairs.

SEC. 6. Progress Report to the President. The Chair of the 31st AMM Special Projects Task Force shall submit, through the Secretary of Foreign Affairs, regular reports to the President of the highlights of every meeting of the 31st AMM Special Projects Task Force. Contentious issues shall be immediately reported to the President together with observations and recommendations.

SEC. 7. All government agencies named above and participating members of the private sector shall detail their representatives to the 31st AMM Special Projects Task Force. The duration of the detail shall be until 30 July 1998.

SEC. 8. Effectivity. This Administrative Order shall take effect immediately.

Done in the City of Manila, this 15th day of June, in the year of Our Lord, nineteen hundred and ninety-eight.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) ALEXANDER P. AGUIRRE

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). [*Administrative Order Nos.: 301 - 407*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 405
AFFIRMING THE PAYMENT OF SALARIES AND ALLOWANCES OF GOVERNMENT
PERSONNEL STATIONED ABROAD AT COLLECTION RATE

WHEREAS, Republic Act No. 7157, otherwise known as the Philippine Foreign Service Act of 1991, was enacted to strengthen the Philippine foreign service by providing the personnel with, among other things, suitable and competitive salaries, allowances and benefits;

WHEREAS, the salaries and allowances of the Philippine foreign service personnel have been diminished by the increase in cost of living at the different foreign service posts caused by drastic changes in foreign currency conversion rates;

WHEREAS, certain Philippine foreign service posts, in an effort to minimize the adverse effects of the foreign currency fluctuations and bank charges for currency conversions, have sought refuge in the adoption of an *ad hoc* procedure of securing authorization from the Secretary of Foreign Affairs to pay the salaries and allowances of personnel at the foreign currency rates utilized in the conversion of the revenues collected at said posts;

WHEREAS, the payment of salaries and allowances at collection rate level has provided the flexibility by which government personnel assigned abroad are given fairly adequate means to live in a manner befitting their representative capacities and within the government's financial capability;

WHEREAS, there is a felt need to re-affirm and ratify the policies and procedures adopted by the Department regarding collection rates in the different foreign service posts;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby ratify and affirm:

1. The authority of the Secretary of Foreign Affairs to formulate, adopt and implement rates, policies, and procedures including those which are already being followed in different foreign service posts relating to the payment of salaries and allowances of foreign service personnel at collection rate; provided that such payments shall be made only out of collections.
2. Foreign service posts which are currently applying the collection rate on an *ad hoc* basis may continue to do so until otherwise instructed by the President of the Republic of the Philippines upon the recommendation of the Secretary of Foreign Affairs.
3. This Executive Order shall take effect immediately.

DONE in the City of Manila, this **24th** day of **June**, in the year of Our Lord, Nineteen Hundred and Ninety-Eight.

(Sgd.) **FIDEL V. RAMOS**

By the President:
(Sgd.) **ALEXANDER P. AGUIRRE**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 406
IMPOSING THE PENALTY OF DISMISSAL FROM THE SERVICE WITH FORFEITURE OF ALL
BENEFITS UNDER THE LAW OF MANILA ASSISTANT PROSECUTOR
GREGORIO V. MARQUEZ

This refers to the administrative complaint filed by the Department of Justice against City Prosecutor Gregorio V. Marquez of Manila for grave misconduct.

In a letter dated August 24, 1994 addressed to President Fidel V. Ramos, Department of Justice Secretary Franklin M. Drilon reported the following findings:

“Records disclose that agents and special investigators of the Special Operations Group of the National Bureau of Investigation (SOG-NBI) apprehended Prosecutor Gregorio V. Marquez on July 27, 1993 after he allegedly received a white envelope containing marked money from one Dr. Gloria M. Bumanlag inside the Kentucky Fried Chicken (KFC) Restaurant at Taft Avenue, Manila. His arrest was the culmination of an entrapment operation planned and executed by the NBI in response to the complaint lodged by Dr. Bumanlag for extortion.

“In her statements given to the NBI on July 26, and 27, 1993, Dr. Bumanlag, a dentist by profession, avers that she is the private complainant in a criminal complaint against spouses Ronilo L. Nagano and Lilia Nabong for estafa through falsification of public document and/or carnapping before the Office of the City Prosecutor of Manila, docketed therein as I.S. No. 93D-12199. The case was assigned to Prosecutor Marquez for preliminary investigation. In July, 1993, Prosecutor Marquez repeatedly called her up at her dental clinic in Valenzuela and demanded from her the amount of ₱5,000.00 in exchange for the prompt and favorable resolution of the complaint. Once, she tried to give him ₱1,000.00, through her lawyer, but he refused saying it was too small. She even told him that she could only raise ₱2,500.00 to which offer Prosecutor Marquez curtly replied that she should, in fact, give him ₱10,000.00 as there were two (2) cases involved. Due to respondent’s insistence, she pretended to agree with his demand on July 23, 1993 for her to meet with him at Jollibee, Taft Avenue, on July 27, 1993, between 11 and 11:30 a.m., so she could then and there deliver the amount. She, however, suggested that they meet instead at the KFC alongside Jollibee. Prior to this meeting, she reported the matter to the NBI which subsequently planned the entrapment. When she arrived at the KFC at about 11:35 a.m. of July 27, 1993, after she was given the marked money placed in a white mailing envelope by Atty. Orlando Dizon, Chief of the SOG-NBI, Prosecutor Marquez approached him to reduce the amount. When the latter refused, she handed to him the white

envelope containing the marked money which consisted of twenty (20) FIFTY PESO bills and twenty (20) TEN PESO bills. After Prosecutor Marquez accepted the envelope with his right hand and placed it on top of a newspaper in front of him, she then gave a signal to the NBI agents by tying her hair and respondent was consequently arrested.

“NBI agents Lauro C. Reyes, Rafael Z. Ragos, Allan Lino and Gary Menes jointly corroborated the statement of Bumanlag. They further allege that the forty (40) pieces of peso bills placed in the envelope were previously submitted to the NBI’s Forensic Chemistry Division for proper marking and application of fluorescent powder.

“A portion of the certification dated July 27, 1993 of Forensic Chemist III Aida R. Viloria-Magsipoc and Forensic Chemist IV Idabel Bernabe-Pagulayan of the NBI Forensic Chemistry Division relative to the ultra-violet examinations conducted on the person of Prosecutor Marquez reveals that the dorsal and palmar aspects of his left and right hands showed the presence of yellow fluorescent specks and smudges and that the front side of his white T-shirt showed the presence of yellow fluorescent smudges.

“For his part, Prosecutor Marquez admits having conducted the preliminary investigation of I.S. No. 93D-12199 but denies having demanded any amount from Dr. Gloria Bumanlag. He reveals that he submitted the case for resolution on June 30, 1993 before he went on a leave of absence from July 1, 1993 to July 30, 1993 as he was then suffering from chronic recurrent bronchial asthma. When he visited his office sometime in July, 1993, Dr. Bumanlag saw him and inquired about her case. He advised her to file a motion to re-raffle or re-assign the case to another investigating prosecutor as he was then on leave and could not physically discharge his duties and functions due to the seriousness of his illness. Dr. Bumanlag got mad and accused him of receiving money from her opponent. Prosecutor Marquez further avers that he was at the KFC restaurant before noon of July 27, 1993 since he was supposed to have a lunch date then with his colleague, Prosecutor Eufrocinio Sulla. They intended to proceed to the nearby Philippine General Hospital (PGH), where Prosecutor Sulla’s wife works as a nurse, so that the latter could introduce him (Prosecutor Marquez) to an asthma specialist at the said hospital. To ensure that Prosecutor Sulla would come to their rendezvous, he even instructed his secretary on July 26, 1993 to remind Prosecutor Sulla about it. On July 27, 1993, he went to the KFC and saw Dr. Bumanlag occupying a table inside the same restaurant. When he joined her upon her invitation, she apologized regarding the incident that transpired at the City Hall and reiterated her request not to re-raffle her case to another prosecutor. After he refused, she brought out an envelope and placed it on top of the newspaper and said: “Sige na, Fiscal, tulungan mo na ako para hindi na mare-raffle pa yong kaso ko. Para sa iyo yan, ₱5,000.00 ang laman niyan, bilangin mo.” He declined her offer and, when he stood up and was about to leave, two men, who introduced themselves as NBI agents, suddenly grabbed him. His protestations proved futile as one of the agents asked him to sit down while the other was searching his person. When he refused to open the envelope and count the money inside, upon the orders of the agents, one of them brought out the money and shuffled

the same like game cards in front of him. He asserts that Dr. Bumanlag framed him up because of hatred and ill-will as evidenced by her accusation that he was bribed by her adversaries.

“Prosecutor Eufrocinio Sulla affirms respondent’s averments about their luncheon meeting at KFC on July 27, 1993. He, however, reveals that when he arrived at the place after 12:00 p.m. he was not able to meet him.

“Socorro Samala, who is the secretary of Prosecutor Marquez, confirmed that respondent’s instructions to her to remind Prosecutor Sulla of their lunch date on July 27, 1993. She disclosed that when Dr. Bumanlag earlier asked her where she (Bumanlag) could find Prosecutor Marquez, she informed her that respondent would be at the KFC on July 27, 1993 at around 11:00 a.m. to meet Prosecutor Sulla.”

After evaluating the evidence on record, the Secretary of Justice found Prosecutor Gregorio V. Marquez guilty of the administrative offense of grave misconduct and recommended the dismissal of respondent from the service with forfeiture of all the benefits under the law.

“Without doubt, Prosecutor Gregorio V. Marquez miserably failed to controvert the straightforward and unwavering accusation of Dr. Gloria Bumanlag that he repeatedly demanded the amount of ₱5,000.00 from her in exchange for a favorable resolution. It is highly insulting to one’s intelligence to believe (1) that his meeting with Dr. Bumanlag on July 27, 1993 at the Kentucky Fried Chicken restaurant was merely coincidental; (2) that Dr. Bumanlag would offer him, right then and there, the amount of ₱5,000.00 just to abate the re-assignment of her case to another prosecutor; (3) that such offer would be made after she allegedly bad-mouthed him a few day before; (4) that Dr. Bumanlag would utilize the resources and personnel of the NBI to frame him up by just depending on the raw information given by respondent’s secretary concerning his whereabouts that day; (5) that the NBI agents without any Motive, would agree to take part on a scheme to frame him up when the agents are presumed to have acted in the regular performance of their official duty; and (6) that Dr. Bumanlag would concoct a story against the respondent when she has no known penchant for indiscriminately filing suits of whatever nature against any prosecutor or government functionary.

x x x

“From the facts aforestated, x x x the dubious character of the acts charged as well [as] the motivation which induced respondent prosecutor to commit them were clearly demonstrated. It is a patent manifestation of how he uses his office to serve his nefarious ends, which, to our mind, is disgraceful misconduct meriting administrative sanction.”

After a review of the records of this case, this office concurs with the findings and recommendation of the Secretary of the Department of Justice.

In view of the foregoing, and as recommended by the Secretary of the Department of Justice, respondent Gregorio V. Marquez, Assistant City Prosecutor of Manila, is hereby **DISMISSED** from the service with forfeiture of all benefits under the law.

Done in the City of Manila, this 25th day of June, in the year of Our Lord, nineteen hundred and ninety-eight.

(Sgd.) **FIDEL V. RAMOS**

By the President:

(Sgd.) **RENATO C. CORONA**

Chief Presidential Legal Counsel

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). [*Administrative Order Nos.: 301 - 407*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 407
IMPOSING THE PENALTY OF DISMISSAL FROM THE SERVICE ON ASSISTANT CITY
PROSECUTOR SALVADOR O. SOLIMA OF THE CEBU CITY PROSECUTION OFFICE

This refers to the administrative case against Assistant City Prosecutor Salvador O. Solima for gross misconduct/grave abuse of authority and gross ignorance of the rules on inquest.

The record shows that in the morning of August 8, 1996, Andy and Joselito Manguerra, scions of a prominent family in Cebu City, were arrested by the PNP elements in a raid conducted by virtue of a search warrant. The Manguerras were found in possession of assorted firearms and were thereafter detained.

At around 9:00 p.m. of the same day, respondent prosecutor arrived at the police station where the Manguerras were detained, and without waiting for the police to refer the case to him for inquest, he prepared and typed an inquest report recommending the dismissal of the case against the Manguerras and directing the police to release the Manguerras. Since the police refused to heed the orders of respondent prosecutor, the latter personally released the Manguerras even if his inquest report has not yet been approved by his superior, the City Prosecutor of Cebu City.

As the incident caused an uproar in Cebu City, an investigation was conducted by the Office of the Regional State Prosecutor which found that a *prima facie* case exist to hold respondent prosecutor administratively liable for gross misconduct, gross ignorance of the rules on inquest, grave abuse of authority and violation of Anti-Graft and Corrupt Practices Act. It likewise recommended that respondent prosecutor be placed under preventive suspension for six (6) months while his case is being heard.

Upon review of the records, the Secretary of Justice agreed with the findings of the Office of the Regional State Prosecutor of Region VII and hence, a formal charge was issued charging respondent prosecutor with gross misconduct/grave abuse of authority and gross ignorance of the rules on inquest. Respondent prosecutor, however, was not charged with violation of the Anti-Graft and Corrupt Practices Act for want of basis. Considering the gravity of the charge, the Secretary of Justice likewise agreed to place respondent prosecutor under preventive suspension for a period of ninety (90) days pursuant to the provisions of Book V of Executive Order No. 292 and its Omnibus Rules.

In his answer to the formal charge, respondent prosecutor claims that the charges leveled against him are without any factual basis, the truth being are those contained in his affidavit dated August 20, 1996, the affidavit dated August 23, 1996 of then City Prosecutor Jufelinito R. Pareja, the joint-affidavit dated August 16, 1996 of Attys. Delano Tecson, Jesus Osorio and Rolando Puaben and the joint-affidavit dated August 16, 1996 of Andy and Joselito Manguerra which were submitted during the investigation conducted by the Office of the Regional State Prosecutor of Region VII. He admits that he conducted an inquest on August 8, 1996 upon the instruction of then City Prosecutor Jufelinito R. Pareja, who was in turn requested by the lawyers of the two Manguerras' cousins who were then detained at the PNP Headquarters, Osmeña Boulevard, Cebu City. He also pointed out that before the lawyers of the Manguerras requested City Prosecutor Pareja for an inquest prosecutor, General Ramsey

Ocampo and Atty. Narito Abrangan of the PNP had given their conformity with such request for an inquest prosecutor. He alleges that when he arrived at the PNP Headquarters at around 9:00 p.m. of the same day, the charge sheet and pertinent documents were not yet submitted and so, he waited for the arresting officers to submit the same. He waited until 2:00 o'clock dawn of August 9, 1996 but the arresting officers failed to appear and submit any evidence against the Manguerras. Since the lawyers of the Manguerras were already insisting that there was no ground for the continued detention of their clients, and in the light of the fact that the subject firearms were all covered by a license, he prepared the joint inquest report recommending the release of the Manguerras. He cited Sections 8 and 9 of the New Rules on Inquest dated September 21, 1993 as his basis for his action. His joint inquest report was approved by the City Prosecutor only in the early office hours of August 9, 1996. He belies that he ordered the police on duty to release the Manguerras prior to the approval of his report by the City Prosecutor. He insists that he left the Manguerras together with their lawyers at the PNP Headquarters of Cebu City.

In requesting for the immediate lifting of his preventive suspension, respondent prosecutor pointed out that when this case was initially investigated by the Office of the Regional State Prosecutor, there was no complainant. He avers that General Ramsey Ocampo during the investigation made it on record that the PNP Officers were not complainants against him. He also asserts that with the approval by the City Prosecutor of his joint inquest report, it shows that the inquest proceedings he conducted was regular and in accordance with the New Rules on Inquest. He adds that being a quasi-judicial officer, his sworn duty is not only to prosecute offenders but also to see to it that the innocents are equally protected, as in the case of Manguerras. And finally, his recommendation for the release of the Manguerras having been affirmed, and the complaints against the Manguerras have been finally dismissed, this administrative case has become moot and academic.

Based on the foregoing factual backdrop, the Secretary of Justice found respondent prosecutor liable for gross and serious misconduct and gross ignorance of the basic rules on inquest and recommended that he be dismissed from the service. The explanation given by the Secretary pertinently reads:

“After a thorough study of this case, the undersigned prosecutor finds sufficient evidence to hold respondent prosecutor liable of the imputed administrative offenses.

The admission by respondent prosecutor that he conducted an inquest without the charge sheet and supporting documents formally filed against the detained person smacks of a lamentable state of real ignorance of the basic procedure embodied in the rules on inquest which has long been in effect. It is indeed difficult to comprehend why respondent prosecutor a public prosecutor for thirteen (13) years should proceed to conduct an inquest proceedings when the police officers concerned have not yet formally referred to him the complaint/referral documents against Manguerras. Irrespective of his opinion as to the regularity or irregularity of the arrest and detention of the suspects, the rules on inquest requires that the complaint/referral documents must first be submitted to the inquest officer by the law enforcement authorities before commencing the inquest proceedings. This is very clear in Section 3 of the New Rules on Inquest. (Department of Justice Circular No. 61 dated September 21, 1993) which provides, viz:

“Sec. 3. Commencement and Termination of Inquest - The inquest proceedings shall be considered commenced upon receipt by the Inquest Officer from the law enforcement authorities of the complaint/referral documents which should include:

- a) the affidavit of arrest;
 - b) the investigation report;
 - c) the statement of the complainant and witnesses;
- and
- d) other supporting evidence gathered by the police in the course of the latter’s investigation of the criminal incident involving the arrested or detained person.

The inquest Officer shall, as far as practicable, cause the affidavit of arrest and statements/affidavits of the complainant and the witnesses to be subscribed and sworn to before him by the arresting officer and the affiants.

The inquest proceedings must be terminated within the period prescribed under the provisions of Article 125 of the Revised Penal Code, as amended.”

Clearly, the inquest proceedings is commenced only upon receipt by the Inquest Officer from the law enforcement officers of the complaint/referral documents above-stated and upon instruction by the City or Provincial Prosecutor to render an inquest duty. Thus, the act of respondent prosecutor of disregarding the above-mentioned basic rule of procedure which resulted to the precipitate release of the Manguerras amounts to serious misconduct, grave abuse of authority and most of all gross ignorance of the well-established rule which is subject to disciplinary action. A public prosecutor, being endowed with quasi-judicial authority, owes it to the public and to the administration of justice to know the law and he is expected to exhibit more than a cursory acquaintance with the statutes and procedural rules.

The reason advanced by respondent prosecutor why he conducted an inquest in the subject case even without a formal complaint or referral documents is not sufficient justification for him to *motu proprio* take cognizance of the case as it is not allowed in the rules. When he sensed that the concerned police officers could not complete or file the necessary complaint or referral documents against the Manguerras in that night, common sense dictates that he should have explained to the lawyers of the Manguerras that he could not act on their case without the charge sheet and supporting documents submitted to him. If the lawyers insisted for the release of their clients, he should have advised them to address their request for release to the concerned police officers who have custody over their clients. But surprisingly, respondent prosecutor apparently had shown extraordinary interest to the case. Despite the absence of a complaint or referral documents, he proceeded to conduct an inquest proceedings, required the detained persons to execute counter-affidavit and solely on the basis thereon, prepared a Joint-Inquest Report recommending the release of the detained persons. such action

of respondent prosecutor is clearly highly irregular. For it is very fundamental that in inquest proceedings, what is being examined by the Inquest Officer to determine whether the arrest of the detained person was made in accordance with the provisions of paragraphs (a) and (b) of Section 5, Rule 113 of the Revised Rules on Criminal Procedure are the complaint/referral documents submitted by the arresting officers but not the counter-affidavit or evidence submitted by the detained person. Besides, in inquest cases, the submission of counter-affidavit is not allowed, unless the detained person would demand the exercise of his right to a preliminary investigation in which case he has to execute a waiver of the provisions of Article 125 of the Revised Penal Code, as amended, with the assistance of a lawyer and, in case of non-availability, a responsible person of his choice (Sec. 10, *supra*). With the execution of such waiver, the inquest proceedings would be converted to a regular preliminary investigation. It is only then that the Inquest Officer would require the detained person to submit his counter-affidavit or controverting evidence. Hence, it was a patent error for respondent prosecutor to take cognizance of the case and base his inquest report recommending dismissal on the latter's counter-affidavit. Such error, under the circumstances, cannot be characterized as mere deficiency in prudence, discretion and judgment, but a patent disregard of well-known rules tantamount to gross ignorance of the law.

To top it all, when the guard on duty, PO1 Dario Son Arias, refused to receive the copy of the said Joint-Inquest Report intended for the arresting officers, respondent prosecutor, flaunting his authority, said to the former that: 'Mo-firma ka ug sa dili, wala ka'y mahimo niini kay ako ni silang i-release' (Whether you sign this or not, there is nothing you can do because I will release them). Aside from that, PO1 Dario Son Arias was firm and straightforward in testifying during the clarificatory hearing that respondent prosecutor together with the Manguerras left the Headquarters, and he even saw respondent prosecutor gave a ride to the Manguerras (TSN, August 26, 1996, pp. 13, 16). It may not be amiss therefore to state that the Manguerras were released by respondent prosecutor even prior to the approval of his joint-inquest report by the City Prosecutor. Such actuations of respondent prosecutor constitute a clear case of gross and serious misconduct which cannot just simply be obliterated by the fact that the case against the Manguerras was finally dismissed. Rather, such conduct, being an example of the kind of gross and flaunting misconduct that undermines the integrity and impartiality of the prosecution service, deserves no other than the ultimate penalty of dismissal under section 22 (c), Rule IV of the Omnibus Rules Implementing Book V of Executive Order No. 292 (Administrative Code of 1987).

It bears stressing that as a public prosecutor, respondent prosecutor owes it to the people to help in the preservation and maintenance of the integrity of the administration of justice. He is therefore, expected to exhibit the highest sense of honesty, integrity, efficiency and competence in the performance of his official duty. Sad to say, under the circumstances, respondent prosecutor failed to live up to these highest ethical standards. By committing the questioned acts, respondent prosecutor undermined the integrity of the service and jeopardized the public's faith in the impartiality of the prosecution office. By his conduct, he even bolstered the public perception that when it comes to the prosecution of the

rich and influential persons, there is a double standard of justice, i.e. one for the rich and the other for the poor. His actuations in the premises destroy the very image of the prosecution service and henceforth, shall not be countenanced by this Department.”

I concur with the findings of the Secretary of Justice.

The act of respondent prosecutor of disregarding the basic rules on inquest which resulted to the precipitate release of the detained persons who were charged with illegal possession of assorted firearms indeed constitutes a clear case of gross and serious mis and most of all amounts to gross ignorance of the law. The prosecution service would undoubtedly be better off minus one prosecutor who has the temerity to abuse his authority at the expense of destroying the integrity and impartiality of the public office he holds.

WHEREFORE, premises considered, respondent Assistant City Prosecutor Salvador O. Solima of the Cebu City Prosecution Office is hereby dismissed from the service.

DONE in the City of Manila, this 26th of June, in the year of our Lord, Nineteen Hundred and Ninety Eight.

(Sgd.) FIDEL V. RAMOS

By the President:

(Sgd.) RENATO C. CORONA

Chief Presidential Legal Counsel

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1998). *[Administrative Order Nos.: 301 - 407]*. Manila: Malacañang Records Office.



President Fidel V. Ramos delivers his last State of the Nation Address before Congress in joint session, July 28, 1997.

